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## Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. LEAHY).

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, we pause to thank You for providing us with strength for each day. As You continue to be our help in times of trouble, may our hearts be lifted to You in gratitude.

Lord, guide our lawmakers to show their gratitude for Your mercies by obeying Your precepts as You help them navigate through these challenging times. May their reverence for You provide them with a wisdom that will glorify Your Name. Keep our Senators from deviating from integrity so that their thoughts, words, and actions will please You.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDENT pro tempore. Under the previous order, the Senate will pro-

ceed to executive session to resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Alan Davidson, of Maryland, to be Assistant Secretary of Commerce for Communications and Information.

The PRESIDING OFFICER (Ms. HIRONO). The Senator from Vermont.

#### JOHN LEWIS VOTING RIGHTS ADVANCEMENT ACT

Mr. LEAHY. Madam President, last week I spoke on the floor, and I reflected on the unthinkable events of January 6, 2021. We all remember when a violent mob attempted to snuff out one of our democracy's most sacred traditions: the peaceful transition of power. That mob's attack on our Nation's Capitol was fueled by our former President's Big Lie, the utterly false alternate reality that Joe Biden stole the 2020 election through widespread fraud.

But the January 6 insurrection, as nightmarish as it was, was not the only thing that was spawned by the Big Lie. Inspired by the former President's baseless conspiracy theory, dozens of States have passed new laws suppressing voters and making it easier for partisan officials to overturn the will of their constituents. These have been billed as "election integrity" or "election security" laws. Even George Orwell would be impressed by these brazen euphemisms.

Disenfranchising tens of thousands of minority voters does nothing to improve the integrity of our elections, and empowering partisan actors to disqualify ballots and ignore the popular will actually makes our elections more insecure.

A record number of these voter suppression laws are being considered and enacted as we head toward a major midterm election that will shape the direction of our country. Many of these laws would not see the light of day if the Department of Justice still possessed its preclearance powers under

the 1965 Voting Rights Act. However, the Supreme Court unwisely decided to gut the Justice Department's preclearance powers in the Shelby County v. Holder decision in 2013. And then, adding insult to injury, the Supreme Court toppled another critical pillar of the Voting Rights Act in the 2021 Brnovich decision, even further limiting the Federal Government's tools to combat voter suppression.

So with a green light from our Nation's highest Court and constant prodding from a man who refuses to accept reality, partisan State actors have breathed new life into the Big Lie—not by breaking laws as the January 6 mob did but by making them.

Now, I happen to have a bipartisan bill to restore the Justice Department's powers to oversee and prevent States from enacting discriminatory voting laws: the John Lewis Voting Rights Advancement Act. I worked very hard to craft a compromise bill that has garnered Republican support here in the Senate, so it was truly a low point when Republicans recently refused to even allow debate on my bipartisan legislation—wouldn't even allow debate. Isn't that the whole point of being a Senator—to debate and vote on bills?

How can you justify telling your constituents that you refuse to even allow debate on a voting rights bill with a 56-year record of bipartisanship? Are we that afraid to simply do our jobs?

It bears repeating, but the John Lewis Voting Rights Advancement Act would simply restore and update provisions of the Voting Rights Act that have been overwhelmingly supported by both parties throughout the law's history. The Voting Rights Act has been reauthorized by large bipartisan majorities in Congress five times and proudly signed into law by Presidents Nixon, Reagan, and George W. Bush. That is not what you might call a liberal trio of Presidents.

The most recent Voting Rights Act reauthorization in 2006 was a 98-to-0

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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vote here in the Senate. In fact, a number of Senators still serving today, both Republican and Democrat, voted to support that legislation, as did I.

Now, the compromise bill I crafted with Senator MURKOWSKI follows the very same blueprint of these other bipartisan efforts to restore the Voting Rights Act. Probably I am old-fashioned, but it would be a tragedy if Senators have completely sacrificed our sense of common purpose at the altar of partisanship.

We used to believe that protecting our right to vote—the very right that gives democracy its name—is bigger than party or politics. We used to believe that a system of self-government—a government of, by, and for the people—is one that is worth preserving for generations to come.

And we used to believe, regardless of party, that government exists to serve the will of the people, not the other way around. I would sincerely hope we still believe these things. The only way to prove it, though, is through our actions.

I don't know what the next few weeks is going to have in store, but if we have an opportunity to consider the bipartisan John Lewis Voting Rights Advancement Act, I hope that all of us—my Republican friends and Democrats—will at least have the courage of their convictions and allow a vote on it.

And if you oppose a bipartisan bill to restore a landmark voting rights law that has had nearly six decades of unwavering bipartisan support, then have the courage to stand up on the Senate floor and vote against it. I, for one, will proudly vote yes. All the tweeting and partisan posturing that seems to consume most of our energy these days will quickly be forgotten. What will be remembered for decades is what the Senate did in our democracy's hour of peril. I hope—indeed, I pray—that the answer is not nothing.

Too many hide behind parliamentary procedures not to have to vote on anything. What is wrong with us? We get 6-year terms. Don't be afraid to vote. Vote yes or vote no, but stand up and let the people know where you stand and vote. This “Well, we are going to block this coming to a vote” means, “I don't have the courage to stand up and vote.” That is all it means.

If you want to stop these things from coming to a vote, it means you don't have the courage to vote; you are not willing to go on record and vote or you are afraid somebody might look at your vote someday and say: Hmm, why did he or she vote that way?

I have voted more than 17,000 times on this floor. I have been proud to vote the way I have. I am sure I could look back over decades of voting and find a vote here and a vote there and say: You know, maybe I should have voted differently, but these issues always come back up again, and I will correct my vote—but not if we are not allowed to vote.

I had one Senator say that the reason we want this kind of open voting is so that we can elect just Democrats. That is balderdash. My State of Vermont has probably the most open voting, the most accessible voting, of any State in the Union. We also have one of the highest turnouts of any State in the Union. Anybody can request an absentee ballot. Anybody can vote right up to the last minute.

And is this for partisanship? I look at the last election a little over a year ago. We elect our Governor and our Lieutenant Governor separately. Voters all came to the polls in a record turnout. They elected a Republican as Governor and a Democrat as Lieutenant Governor. I think the Republican who was elected is proud of the way we vote, and I know the Lieutenant Governor who was elected, she is proud of the way we vote because it reflected that the voters actually vote for who they want, not in some partisan way.

And we hurt this country and we hurt this Senate that I love if we are afraid to vote. I am proud to be the dean of the Senate. I am proud to be the President pro tempore. But I am not proud when we don't vote. I am not proud when we hide behind mechanisms and we don't vote.

I am not proud to see partisan voting on nominees, something that has blocked—something where there has been far more votes against women in our Senate Judiciary Committee than I have seen in the decades I have served on that committee.

We can't do this. Stand up and vote. Let people know where you stand. If it is your automatic thing to vote against women for nominations, I disagree with that, but have the courage to stand up and vote and show people where you are. That is what we have to do.

If people are afraid to vote and have their votes heard, their votes recorded, then they don't belong in the U.S. Senate—not in a body that should be the conscience of the Nation.

I hope that we will come together and vote these voting rights bills up or down. In this country, we have seen too many times in the past where people were not allowed to vote or were blocked from voting—from whatever way it was done. And think of every time that happened. Our country suffered. Our country suffered.

What we are saying is, let everybody vote—whether Republicans, Democrats, or Independents—stand up and vote, have the ability to vote. Don't use artificial ways to block people from voting just because you think they may vote differently than you do, just as I have fought all my career to make sure that, in my own State of Vermont, everybody has a chance to vote.

Marcelle and I have even done ads on our television saying: We want everybody to vote, whether you are voting for a Republican or voting for a Democrat. Get out and vote.

Of course, I was hoping they would vote for me, and I am sure my Republican opponents hoped they would vote for them. But the point I was trying to make is, it is important that everybody votes, whether they are voting for me or against me. And that is why in Vermont we have one of the highest percentage of voters.

And if we want to keep having these “suppression of vote” bills, we all suffer. The country suffers. Our image around the world suffers. Don't be afraid to vote. We are not going to get perfect people every time, but we can have a perfect way of voting. In the long run, the country is better off.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

TWIN PARKS NORTH WEST TOWER FIRE

Mr. SCHUMER. Madam President, today my thoughts, my prayers, and condolences are with everyone whose lives were ripped apart because of the awful fire in the apartments that ignited yesterday at the Twin Parks North West tower in the Bronx. Seventeen people lost their lives in yesterday's fire, including eight innocent children. Dozens of others were injured, many critically so. We pray for their recovery. Many are still in the ICU.

It was the deadliest fire in New York City in the last 30 years, an unspeakable tragedy made a thousand times worse because it happened within the confines of people's own homes—places that should be safe, should be secure, should be shielded from moments of terror like the ones we saw yesterday.

I grieve for all the families, friends, and neighbors whose lives were suddenly cut short in the fire. Many were from immigrant families, people who came to our city to start climbing up the ladders of prosperity and a decent life for themselves and their children in this beautiful country, and now they are lost.

I commend the brave firefighters who stepped up to beat back the fire, save lives, and keep the surrounding communities safe. They did not think about their own safety. They just answered the call and did their jobs. That is what firefighters do. We respect them. We love them. I am profoundly grateful for them and all the workers who are rebuilding from the damage, as well as the health workers tending to the injured.

Last night, I joined with the Governor, Mayor Adams, and with other members of the city and local government. It was a broad group because New York always pulls together in times of tragedy, and we had people

from all parts of this city and all different backgrounds coming together to support those families impacted by the fire. At the Federal level, we will do whatever we can—housing assistance, disaster assistance, and help for all immigrant families.

Many of those affected by the fire came from Gambia and other West African countries on a program called Diversity Visa, which I was proud to author. I say to these immigrant families: Do not hesitate to reach out to local and Federal authorities. You will find nothing but a helping hand.

When tragedy strikes our city, New Yorkers come together. We embrace one another. We help however we can. And we always find ways to come back stronger than before. That has been true throughout our city's history, and it shall remain true as we get through this latest, awful tragedy.

#### DEMOCRACY

Madam President, now on defending democracy, last week, the Nation observed the 1-year anniversary of the greatest violent assault against our democracy since the time of the American Civil War. Though the Capitol attack of January 6, 2021, was confined to a single day, the attacks on our democracy have not ceased. The Big Lie—the terrible fantasy that our elections are rife with voter fraud and that Donald Trump won the 2020 election—lives on to this day and is spreading throughout our country, used to undermine our democracy.

Donald Trump has such an infantile ego that he cannot accept that he lost. So he spreads the Big Lie. But just as bad—or almost as bad—are all those in politics, in the media, and elsewhere who know it is a lie but continue to spread it, to the grave detriment of the fundamental roots of this country, its democracy.

Tomorrow, President Biden will travel to Georgia and make the moral case to the Nation that the time has come to act to defend democracy and protect voting rights, even if it means changing Senate rules to restore the Senate.

Every single lover of democracy across America, especially those of us in this Chamber, should take heart of the President's message and ask ourselves: What can we do to protect free and fair elections in this country?

The Senate, I believe, stands ready to follow through on the President's call. Later this week, we will hold a vote yet again on legislation to protect our democracy and protect the sacred right to vote. Everyone in this Chamber will have a chance to go on record. Will Republicans join Democrats in a bipartisan manner to move forward on defending democracy or will they once again mount a filibuster and offer their implicit endorsement of the Big Lie?

I hope they join us, but to date, unfortunately, I have seen precious little suggesting they will do so.

On the contrary, our Republican colleagues have gone to great lengths recently to distract from the dangers of

Donald Trump's Big Lie. Senate Republicans are so stung by our arguments about voter fraud and the Big Lie that the Republican leader has actually tried to argue that it is actually Democrats pushing a big lie when we warn about voter suppression.

The threats of voter suppression are not false; they are dangerous. The Republican leader's line of argument is gas-lighting, pure and simple. The Republican leader has pointed repeatedly to the experience of the 2020 election as proof, somehow, that there exists no effort to suppress the vote. But he ignores that the problem today is not just about what happened during the 2020 election. It is about what happened after, and it is happening today.

If Leader McCONNELL doesn't want to get into specifics about the laws passed by Republican legislators across this country to limit the right to vote, then we Democrats will. Despite the fact that the 2020 election was free, fair, and accurate, in the year that followed at least 19 States suddenly decided to rewrite the rules that govern the way people voted in their respective States. At least 33—33—new laws have passed across the country that will make it harder to vote, harder to register to vote, and, worst of all, potentially empower partisans to arbitrate outcomes of future elections instead of non-partisan election workers. And that may be just the beginning because legislatures in various States are preparing new laws as they enter the 2022 sessions of their legislatures.

I ask my Republican colleagues: Take a look at what has happened in many of the Republican-led State legislatures. When Republicans in States like Texas reduce polling hours and polling locations, how does that not make it harder for people to vote? When Republicans in States like Florida, Kansas, Iowa, and Texas make it harder for people to even register to vote—even to register to vote—how is that not suppressing their fundamental right to vote at all? What does that have to do with election security?

When Republicans in States like Georgia, Indiana, and Florida cut back on the number and availability of locations where people can drop off their absentee ballots, how can Republicans say that voting hasn't been made harder? And when Republicans in States like Georgia make it a crime to give food and water to people waiting in line at the polls, how is that not making it harder for them to cast a ballot?

Some of the examples are especially egregious. According to one recent report, Lincoln County in Georgia is looking to eliminate all but one polling location in the entire county before the next election—one location in a whole big county. That is disgusting.

Some voters who live in the county would have to drive 23 miles just to drop off a ballot. This in no way makes voting more convenient. It makes it an enormous burden.

Let's be abundantly clear. These new anti-voter laws are on the books today

because their authors cited the Big Lie, cited the fictitious bugaboo of voter fraud, and are trying to succeed where the insurrection failed. It is a slow-motion insurrection but a very, very pernicious one.

We have yet to hear, on substance, any serious attempt from Senate Republicans defending these terrible new laws. They don't mention them. The truth is our Republican colleagues cannot defend them because the goal of these laws is very clear: They are deliberately targeting all the ways that younger, poorer, and non-White Americans typically access the ballot.

And by blocking this Chamber from taking any action, Senate Republicans are implicitly offering their own endorsement of the Big Lie.

Senate Democrats have been clear of our intentions from the start: The Senate must pass legislation that will safeguard our democracy and protect people's right to vote. It is why we have pushed the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act numerous times here on the floor, only for Republicans to filibuster them and prevent the Chamber from having so much as a debate.

By hijacking the rules of the Senate and preventing any movement, Republicans are saying they oppose policies that guarantee same-day voter registration, policies that safeguard against election subversion, policies that protect poll workers, and policies that prevent faulty and dangerous voter roll purges.

By blocking action in the Senate, Republicans are saying they oppose efforts to fight the power of dark money and efforts to end partisan gerrymandering. Senate Republicans are saying they are perfectly fine with laws that limit voter registration, limit early voting, and limit the number of polling places and drop boxes. They are even fine with policies that criminalize giving food and drink to voters at the polls.

These laws are anathema to the very spirit of our democracy. They are Jim Crow 2, and it is the Republican Party, by and large in this Senate, supporting the reenactment of those Jim Crow laws.

If Republicans refuse to join us in a bipartisan spirit, if they continue to hijack the rules of the Senate to turn this Chamber into a deep freezer, we are going to consider the appropriate steps necessary to restore the Senate so we can pass these proposals and send them to the President's desk.

On this month—the same month we mark the 1-year anniversary of an armed insurrection at the U.S. Capitol—the question before the Senate is a simple one: How will we find a path forward on protecting our freedoms in the 21st century?

Members of this body must now face a choice: They can follow in the footsteps of our patriotic predecessors in this Chamber or they can sit by as the fabric of our democracy unravels before their very eyes.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

VOTING

Mr. MCCONNELL. Madam President, this week on this floor, we are poised to witness something that has never happened before in living memory: an attempt to attack the core identity of the Senate by a sitting majority leader.

The senior Senator from New York once said nuking the filibuster would “turn what the Founding Fathers called the cooling saucer of democracy into the rubber stamp of dictatorship.” He said it would “make the country into a banana republic . . . a doomsday for democracy,” he said. Now, he wants to trigger that doomsday himself.

When I was majority leader, some of my own party urged me to break the Senate for our own party’s short-term gain. My answer was a simple word: “no.”

Less than 4 years ago, the senior Senator from Illinois said nuking the legislative filibuster “would be the end of the Senate as it was originally devised and created going back to our Founding Fathers.” Now, he wants the Senate to end on his watch.

The last time Senate Democrats were in the minority, 32 of them signed a letter demanding the legislative filibuster stay in place. Now, many of them say they want to break this institution. The excuses put forward for this behavior are entirely fake. The supposed justifications are simply false. The Senate Democratic leaders are trying to use a big lie to bully and berate their own Members into breaking their word, breaking the rules, and breaking the Senate.

We are going to spend all week sounding the alarm on the radical takeovers that some Democrats want to pull off. They want to silence millions of Americans and take over the Senate so they can take over elections so they can take over America.

Leading Democrats say they want to break the Senate because of the sinister anti-voting plot that is sweeping America. Of course, this is totally fake. It does not exist. The current control of Congress and the White House were decided in 2020 by the highest turnout in 120 years. Ninety-four percent of voters said voting was easy. More Americans say current voting laws are too lax than say they are too restrictive.

Confronted by the facts, the Democratic leader says they are, of course, irrelevant. He says the entire nuclear push is occasioned by what a few States did in 2021. This is utter nonsense. The Senator from New York has been publicly laying groundwork to nuke the Senate rules since back in 2019, before the 2020 election. More than a year before the 2020 election, the Democratic leader was openly flirting with nuking the Senate rules if he got the power so he would be able to

ram through bigger changes. Now, none of this was occasioned by what State legislatures did in 2021. This is actually a yearslong quest for power in search of a pretext.

Their hysterical attack on State laws are fake as well. The State of Georgia passed a voting law providing for more in-person early voting than New York provides. It allows for no-excuse absentee voting, which New York prohibits. If there was not a voting crisis in Democrat-run New York 6 months ago, there is no crisis in Georgia now. If Georgia is a banana republic today, then New York has been and still is a banana republic. There is zero logic here, zero consistency.

In the State of Texas, Democrats are hysterical because the State rolled back some unusual COVID-specific exceptions to their prior procedures, such as universal drive-through voting and 24-hour voting. So if the bar for voting rights now requires the possibility of voting in person at 3 a.m., how many blue States in America meet that bar? Neither of these things existed in Texas before 2020, and neither widely exists in blue States.

Every hysterical claim that our democracy is in crisis rings hollow. More Americans today say that President Biden’s election was legitimate—now listen to this—than said the same thing about the prior President in late 2017. More Americans today say that President Biden’s election was legitimate than said the same about the prior President in late 2017. Yet Democrats are trying to use their fake hysteria to justify breaking Senate rules so they can seize control of elections in all 50 States. That is what they are up to.

Historically, the Senate has taken up elections legislation on a careful, bipartisan basis. We have made sure not to trample on the rights of voters and the proper roles of local officials.

In 2002, we passed the Help America Vote Act by a vote of 92 to 2—92 to 2. Chris Dodd and I authored that bill. Interestingly enough, the only dissenting votes came from then-Senator Hillary Clinton and the current Democratic leader, CHUCK SCHUMER. Ninety-two to two.

Well, that is how you pass election reform if there are actual issues that need tackling. You do it carefully; you do it thoughtfully; bipartisan committee work; regular order. Our colleagues aren’t doing anything like that. They are trying to ram through a sweeping, partisan legislation that they first drafted and introduced in its first iteration back in 2019.

Democrats say they are concerned about efforts to disempower the appropriate local elections officials. Well, it is actually their bills that would disempower local officials, by Washington Democrats appointing themselves the entire country’s board of elections on steroids.

Democrats say they are concerned about overturning election results.

Well, it is their bills that would overturn election results, overruling the commonsense voting laws that citizens across the country pick for their own States.

A case in point: The Democrats’ latest bill would force the entire country to adopt two practices—same-day registration and no-excuse absentee voting—that the citizens of New York State had as ballot measures last November. Deep-blue New York rejected them both. So you have to ask yourself, why are Washington Democrats refusing to accept the decision of New York voters? Why are they trying to set aside these election results and overturn the people’s will?

Our Democratic colleagues also talked about a so-called voting rights bill. This is a bill to turn the partisan Attorney General into a national elections czar. The Attorney General would no longer have to sue States to win in court; he could end up doing an end run around the legal system and push States around without having to persuade a judge first. I am sure our Democratic colleagues would have reacted well if Republicans had tried to break Senate rules so that Bill Barr could micromanage elections in blue States. I am sure that would have gone swimmingly on their side of the aisle.

But, ultimately, the issues at stake this week run even deeper than this fake hysteria, even deeper than voting laws. Breaking the Senate itself and nuking the filibuster would cause a massive political power outage for many millions of American citizens, for entire States.

So the filibuster is not just about what bills are blocked; it is also the sole feature that gives millions of Americans any voice at all in the legislation that does pass whenever there is one-party control. Annual appropriations, government funding bills, the NDAA, rescue packages like the CARES Act—all of them could be done on a one-party basis, thereby eliminating the influence of every State in America represented by a Member of the minority.

For decades, both Senators and citizens have been able to take for granted that everybody gets a voice, even when they don’t have divided government. If this unique feature of the Senate is blown up, millions and millions of Americans’ voices will cease to be heard in this Chamber—a radical Senate takeover, for a radical elections takeover, for a radical takeover of our Nation’s future.

What the Democratic leader wants to do would not protect our democracy or our system of government. It would destroy a key feature of American Government forever, and the Senators on both sides know it.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Madam President, I listened carefully to the Republican leader’s statement about the institutions of the Senate, the traditions of the

Senate, the rules of the Senate, the precedents of the Senate, and why we are dutybound to follow them, but I couldn't get this image out of my mind as he spoke: the image of that news that came to us one day that Supreme Court Justice Antonin Scalia had tragically passed away.

And we all remember what happened next. It was the same Republican leader who sent the word out to his Republican Members: Don't even entertain the possibility that President Obama is going to fill this vacancy on the Supreme Court. We are going to keep this vacancy open in the hopes that we can elect a Republican President to fill it.

Now, that was 8 months at least, maybe 10 months, before the election. And it was the first time in the history of the United States that a Republican leader of the Senate used his power to browbeat his members not even to meet with Merrick Garland, the President's nominee, President Obama's nominee. They wouldn't even entertain an office meeting with him to discuss it. It was out of the question. The Supreme Court was going to have 8 members, period, and not one more because there was an election coming and a Republican opportunity in that election. And so that is what happened. You remember it well, and I do too.

So when I hear about preserving the sanctity of traditions in the Senate, I can't help but remember that vacant seat on the Supreme Court for almost a year. I cannot help but remember that in the last year of Obama's Presidency that he was denied the opportunity which other Presidents routinely were given to fill a vacancy on the Supreme Court. That was the reality.

And now there is a question of the future of the filibuster, and I will concede that the filibuster has been part of the profile in the Senate for a long, long time—for many decades. But what the Senate Republican leader fails to note is that the use of the filibuster is out of control.

We now have filibusters threatened on everything in sight. It was by design, not by accident. And it was by design to slow down the business of the Senate and stop the production of the Senate, and that is why day after weary day this Chamber is empty. Nothing is happening because a filibuster is usually looming over the body.

And for those who want to restore the Senate to an actual legislative body with actual debate and amendments on the floor, we are being told by the Republican leader that we are somehow denying the basic birthright of the Senate, and we know that is wrong. We know that the Senate, as many of us remember, has changed dramatically.

It was 25 years ago that I came to the Senate. We voted a lot. We actually had 12 appropriations bills come to the floor of the Senate every year—every year—under an open process where any amendment could be offered and de-

bated and voted on, and ultimately that appropriations bill would go into conference with the House and end up doing what it was supposed to do, funding our government.

I can't remember the last time that happened. I think it has been 10 years now since the subcommittees for appropriations did their normal business with the budget resolution and prepared these bills. It is gone. Why? Why is it gone? Wasn't it the tradition of the Senate that you consider those bills? It is gone because of abuse of the filibuster.

Any amendment that is offered is threatened with a 60-vote requirement and things grind to a halt. And you know the net result of it? We have something called an omnibus. All the spending bills are merged into one massive piece of legislation. Let the staff write it. Let the Members look over their shoulder and see if there is anything in there of interest, and we pass it year after year after year.

Is that another fine tradition of the Senate that we want to protect? I hope not.

Let me say a word about voting, if I can. For as long as we have had this Nation, there has always been a basic question as to who will choose the leaders.

Our Founding Fathers showed a lot of wisdom, but they missed it when it came to voting—at least by this century's standards because they denied the vote to African Americans who, by and large, were slaves in that culture, and they denied the vote to women. And they said that basically propertied individuals were the ones who would choose the leaders of our country.

We have a different view of America's democracy today, and many of us believe that every eligible person in this country should be given an opportunity to vote that is not a hardship.

So in the 2020 election, we had a record turnout. There were many of us who felt we should build on that to have an even larger turnout in the next election—let the people speak, let the people vote.

And in about 20 different State legislatures controlled by the Republicans, exactly the opposite was decided. They decided that they would restrict opportunities to vote. Too many darn people voted in that 2020 election, and the results weren't what some of the Republican legislatures and Governors expected. So they decided they wanted to change it—reduce the opportunity for early voting, reduce the opportunities for registration, reduce the opportunity for same-day registration.

They argued that some States have them and some don't. Well, the bottom line, as we see it on the Democratic side, is if we are going to open opportunity for people across the country who are eligible to vote without hardship, then we ought to do it across the board, and that is why we support legislation—Federal legislation ordained and envisioned by our Constitution to

establish standards that will make it easier to vote.

The Senator from Kentucky likes to come to the floor and say, well, New York doesn't have all those good things. He may be right. But why shouldn't they? As far as I am concerned, Illinois, New York, Hawaii, all States should be governed by standards and give people an additional opportunity to vote.

I would rather come down on the side of a larger turnout of the electorate and let democracy speak than the alternative, which is being suggested by the Republican leader. They want to selectively make it difficult for some people to come and vote. I don't. I think they are wrong.

Time and again, the Senate Republican leader came to the floor and called things fake. I guess we are now into that characterization and can thank President Trump for leading us down that path. What is not fake is this. Throughout the history of the United States, the opportunity to vote has been denied, primarily to people of color and the poor, year after year, in an effort to try to ensure that election results turned out a certain way.

For the longest time, my Democratic Party was guilty of that sin. I readily confess it because history makes it clear, but now that mantle has been passed to the party of Abraham Lincoln, the Republican Party, which is now trying to restrict the right to vote across the Nation.

When you heard that in Georgia you couldn't provide water or food to people waiting in line, it probably struck most Americans as odd. Why would they say that?

Well, visualize, if you will, the lines of voters, and you will find, if your memory is the same as mine, that largely they were minority voters who were standing in line for hours to vote—hours to vote.

And so the Georgia State Legislature and others have said, if you give them water or food, you have violated the law. Let them stand in line without any support.

Really? Is that what it has come down to? The fear that if you give a cup of water to someone waiting in line to vote, you are buying their vote? I just can't believe the thinking that leads to that. But we know behind it were a lot of situations where machinery and voting places were limited to minority populations.

#### UKRAINE

Madam President, nearly 32 years ago, Lithuania, a tiny nation on the Baltic Sea, dared to reclaim its freedom from the Soviet Union. At that time, the Soviet Union was one of the world's superpowers. The reaction from Moscow took 11 months, and it was brutal.

On January 11, 1991, 31 years ago this week, Soviet tanks rolled in to crush Lithuanian freedom. It would become known as Lithuania's Bloody Sunday. In the capital city of Vilnius, crowds

gathered in TV Tower and Parliament Square to protest and resist the Russians and to defend their new independent national legislature.

I was lucky. I was there to see the efforts by the people of Lithuania of this tiny nation to protect what they were starting with a new Parliament and free elections for the first time in almost 50 years.

Thirteen martyrs died in the Soviet Union's brutal attempt to crush the restoration of Lithuanian independence. But to the astonishment of the entire world, after 2 days of bloodshed and killing, the Soviet tanks turned around and left. Against all odds, that tiny nation of Lithuania threw off 50 years of Soviet tyranny and occupation. They soon were joined by Latvia and Estonia, where similar courage was shown, and then by other Eastern European nations held captive by the Soviet bloc.

Today, I am proud to say Lithuania remains a free and independent democracy. Soviet President Mikhail Gorbachev, at the time he ordered the tanks to withdraw from Lithuania, 31 years ago, came to realize that you can brutalize a people who are determined to be free, but you can't defeat them. Ultimately, freedom will prevail.

It is a tragedy that Russian President Putin—Vladimir Putin—cannot or will not learn that lesson of history. Instead, today, he is intimidating Ukraine with the same discredited tactics that failed in the Baltics three decades ago.

I was fortunate to be invited on a trip in the year 2014 with the late Senator John McCain of Arizona. He never missed visiting the hot spots of the world, and we went to Kiev in Ukraine, and we walked down to the Maidan Square, which had been the place where the people of Ukraine—the Ukrainians—stepped forward to demand their freedom.

Senator McCain invited me to be part of a delegation during an extraordinary moment when the Ukrainian people were preparing to risk their lives for freedom. We were joined on the trip to Kiev by Senators Barrasso, Johnson, Murphy, and others. And we walked solemnly through the makeshift shrines set up in the Maidan memorializing those who lost their lives in Ukraine's peaceful protest for a better future.

They stopped us at one point and pointed to a place and said: One of the protesters was standing here when the government sniper killed him. That is why there are flowers and candles at that site.

We were planning to travel to the eastern part of the country as well, but we were too late. Russians and Vladimir Putin had already invaded with their little green men and had seized the territory of Crimea. Yet in the ensuing years, despite Russia's military invasion and occupation of Eastern Ukraine, the Ukrainian people have thrived and built on their democratic aspirations.

As with any democracy, there are always areas for improvement, but the Ukrainian people have clearly decided their future is with the community of democracies and not with Moscow. And yet that basic human desire to be free and democratically choose one's leaders is apparently too much for Russian leader Vladimir Putin who is now threatening a further massive military invasion of Ukraine.

He has amassed some 100,000 troops on their border, preparing for that invasion. It is not enough that Putin denies the Russian people their basic freedom; he is determined to eradicate similar aspirations on Russia's border to protect his undemocratic regime.

President Biden and Members of both parties in this Chamber have been swift to condemn Putin's threatened further invasion of Ukraine. President Biden has made it clear that any such move by Russia would be met with rapid and severe economic sanctions. The chair of the Senate Foreign Relations Committee, BOB MENENDEZ of New Jersey, has drafted legislation that would impose historic sanctions if Russia further invades Ukraine. The bill's approach is sweeping and clear, and I support it. I agree with our President and the chairman of the Foreign Relations Committee. This is the right message for us to send from the President and the U.S. Senate to Vladimir Putin.

Chairman MENENDEZ's solution also provides assistance to the Baltic States in standing up to both Putin and China—a timely measure I want to thank my colleague for including in this bill.

It is a bill we should actually be debating on the Senate floor. Instead, we will be forced to vote this week or soon on a different and weaker response to the crisis on the Ukraine's border.

The junior Senator from Texas is the author of this weaker approach. He has managed to force a vote on it by holding hostage dozens of President Biden's nominations. His approach includes a provision to remove the waiver for sanctions against a new gas pipeline between Russia and Germany.

Let me be clear. This Nord Stream 2 Pipeline is a proposal I have been critical of for a long time. I have urged our European allies to diversify their natural gas supply away from Russia. President Biden's position on Nord Stream 2 is the same—that the pipeline could effectively undermine European security by increasing reliance on Moscow.

But the truth is, construction on that pipeline did not begin in the last year; it started under President Trump. I don't think you will be hearing that present in the speeches of the junior Senator from Texas. Despite congressional sanctions and restrictions, by the time Biden entered office, that pipeline was nearly 95 percent complete. Where was the Republican outrage when the lion's share of the pipeline was built under the Trump administration? Were dozens of critical

nominations brazenly and dangerously held then? No.

Given the pipeline's near completion this spring, President Biden waived some but not all sanctions on Nord Stream 2 in an effort to mend relations with Germany and its new government. They are one of our closest allies and partners. We need to continue such close cooperation with our European partners so long as they stand with us to effectively deter further Russian provocation.

President Biden announced an agreement with Germany that involves securing Ukraine and Europe's energy sector, as well as imposing sanctions on Russia. This is important. The President still has the authority to impose additional sanctions on Nord Stream 2. In fact, just this November, the administration sanctioned a Russian-linked ship in connection with it.

The bill offered by my colleague from Texas does not provide any new authority to the President; it only takes away his waiver authority to force sanctions, setting a dangerous precedent and jeopardizing the administration's flexibility to respond to escalation by the Russians.

This Cruz bill will hardly deter the potential Russian invasion of Ukraine and only serve to complicate the efforts to repair relations with our European ally Germany, which has critical energy needs.

I believe we should leave the flexibility of how and when to further sanction this pipeline to the President as part of a larger approach in dealing with Putin. For this reason, I urge my colleagues to support the wiser approach by the senior Senator from New Jersey to send a serious, credible response to Russia if it further invades Ukraine.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### ADOPTIONS FROM CHINA

Mr. GRASSLEY. Madam President, for over 25 years in the Senate, I have been an advocate for adoption.

Adoption is a way for families to be created out of tragedy. It is a pathway to the joy of raising children and guaranteeing security of a place that now they can call home.

One family, Cate and Ben Bryan from Iowa, made the choice to open their hearts and their home to a child from China and were matched with a little girl named Rosie.

Hundreds of families across the country, including the Bryans and others in Iowa, have chosen adoption from China. They have been matched with specific children and made arrangements to welcome those children into their homes.

Many of these kids being adopted from China have disabilities or other special needs and require specialized health and care services.

These kids are in desperate need of families to take care of them but are being denied the opportunity to come

to their home in America with those parents all due to China's refusal to let Americans into the country to complete adoptions.

In February of 2020, China closed its border due to the spread of COVID. This meant that parents who had already been matched with a child in China could not proceed with their adoption. Of course, parents must physically be present in China to continue the adoption process and bring it to finality in order to get their child home.

What was said to be a temporary emergency precaution because of COVID has now stretched into years despite the availability of vaccines. Due to China's unwillingness to open its borders to these parents, adoptions have been stalled for now 2 years.

Some parents have been prohibited from even communicating with their children during this time. The Bryans from Iowa are unable to receive updated health information about their daughter and are unable to send letters or care packages. She might not even know that they have been trying for years to bring Rosie into their family.

Now, other countries that participate in international adoptions have found ways to continue the process, even in light of COVID. Even countries with travel restrictions on other groups have made exceptions for adoptive families. Parents want to cooperate. Parents are willing to quarantine. Parents are willing to be tested. Parents will take every precaution asked of them by China.

Now, what is so odd about all the parents who want to adopt not being allowed into China—we know that China has opened the country to athletes participating in the Olympics, those wishing to do business there, and to American journalists, but why not to adopting parents? Tourist visas are still not being issued, and adoptive parents are being classified as tourists despite specific reasons for their visit.

It is imperative that the Biden administration work to get adoptions from China moving again. These families have been waiting long enough. The kids whom they are working to adopt have been waiting even longer.

I get a chance to hear from kids in foster care in the United States through my role as chairman of the Senate Caucus on Foster Youth. I always hear the same message from these young people: They want a mom and dad. They want a loving place to call home. Kids in China are no different. They deserve a family and safety and the security of loving parents.

I pray that the hearts of Chinese leaders are softened enough to allow these families into the country and allow these kids to come home to America.

#### FILIBUSTER

Now on another subject, the subject of this week in the U.S. Senate about whether the 60-vote requirement to move legislation ahead should be done

away with—that is the purpose of coming to the Senate for these remarks.

Senate procedure is complex enough that talking about it often trips up even Senators who have been around here for several years. Reporters writing about the so-called filibuster often look to past reporting to get their bearings. In doing so, they perpetuate a conventional wisdom that is false or even misleading.

It is common around here to refer to the cloture motion as the Senate filibuster. Now, I want all my colleagues to know that I am guilty of doing this sort of shorthand all the time, and I tell myself I ought to not be making the same mistake.

According to the nonpartisan Congressional Research Service:

Filibustering includes any use of dilatory or obstructive tactics to block a measure by preventing it from coming to a vote.

The cloture motion is not the same thing as a filibuster, as the Congressional Research Service will also confirm. The cloture motion requires 60 votes to bring consideration of legislation to finality. That means not just debate but, crucially, the amendment process.

Of course, I want to repeat that. The effect of invoking cloture is to say that the Senate has considered the bill enough, meaning a sufficient number of amendments have been considered that the Senate has a chance to work its collective will.

The Senate was designed by the constitutional Framers to be a deliberative body. In the House, a narrow majority can pass hastily drafted, poorly conceived legislation.

As political parties have become more ideologically polarized, power to shape legislation has accrued to the House leadership. Individual Members of the House of Representatives have essentially no opportunity to get a vote on bills or amendments unless blessed by the Speaker of the House, Republican or Democrat.

The House Rules Committee, filled with partisans loyal to the Speaker, will draft a very special rule for considering a specific bill, and that is possible to detail the number of amendments, if any, allowed to be offered. Members of the majority party in the House are expected to vote for their party's rule, no matter what.

The Senate is supposed to be different. It is kind of like what we call the cooling saucer, making sure each provision in legislation is thought through and done as well as we can, particularly to overcome some in the House of Representatives who act so quickly. We also make sure that bills work for most States, not just the most populous States on the east or west coast that tend to dominate the House of Representatives.

So the Senate is different. Each and every Senator represents a whole State, and each Senator has equal right to participate in the legislative process on behalf of their State. Sen-

ators who would abdicate that right are doing a disservice to their State and the people they represent.

In the 2008 election, Democrats gained a 60-vote supermajority in the Senate, with a Democrat House and President Obama. As such, the Senate, during those 2 years, tended to act kind of like the House does on process. The usual deliberative process, with bipartisan negotiations and careful refining and tweaking by committees, all went out the window. Major legislation was drafted in the Senate Democrat leader's office, often bypassing Senate committees. Democrats would then dutifully invoke cloture, often with no Senate floor amendment process at all. So, naturally, those of us who have served around the Senate a while were astounded at the time that Democrat Senators would routinely vote to cut off the amendment process before it had begun. Surely, they had amendments important to their States that they would have liked to have offered, but voting for cloture was expected of Democrats. They had 60 votes, after all. They could do almost anything they wanted to. And it turned out just like the rule that comes out of the Rules Committee, affecting how debate happens in the House of Representatives. Now, Democrats did this even if it meant giving up their right to offer amendments, thus abdicating their responsibility to represent their home States.

That situation became the norm, even when the Democrats lost their short-lived 60-vote supermajority.

Most Senators now serving only know the Senate since this break with Senate tradition. Despite some improvements in recent years, the culture of the Senate has not recovered. When people say the Senate is broken, the problem is not the one Senate rule keeping it from becoming just like the House of Representatives. In other words, it is not the 60-vote requirement that has broken the Senate. The problem is that people expect the Senate to act just like the House of Representatives when the Senate is actually intended to be a check on the House. Since the most significant effect of blowing up the 60-vote cloture rule would be denying the right of all Senators to offer amendments on the Senate floor, why do people still talk about some return to the mythical talking filibuster?

That comes out of confusion over the word "filibuster" that I mentioned at the start of my remarks today. The Senate rules state that in most cases during debate on a bill, a Senator may speak for as long as that Senator holds the floor. That is the rule Jimmy Stewart's character took advantage of to delay consideration of a corrupt bill in the classic movie "Mr. Smith Goes to Washington." That meets the definition of a filibuster, but it has nothing to do with the cloture rule. Those who would argue that Senators ought to have to speak nonstop on the Senate



floor until they collapse just to preserve their right to offer an amendment on behalf of their State are either confused or being dishonest.

During the Trump administration, reporters routinely sprinkled the word falsely in the descriptions of things that President Trump said as sort of a running fact-check. Reporters ought to revise the practice of using the word falsely when President Biden and other Democrats make demonstrably false statements. This issue, of course, would be a good place to start—and do it this week.

Any reference to some nonexistent, totally mythical age of the talking filibuster ought to have a disclaimer that no such requirement ever existed for a 60-vote cloture rule. As I mentioned, conventional wisdom about the filibuster has been distorted by confusion and perhaps intentional shell games.

For Senators or reporters to truly understand this issue, I urge you to consult the nonpartisan Congressional Research Service as your main source.

#### RUSSIA

Madam President, on my last topic, Russian dictator Vladimir Putin once famously called the collapse of the Soviet Union “the greatest geopolitical catastrophe of the century.” That ought to tell you very much. He regrets the collapse of the evil empire that killed, that tortured, and that repressed millions of Russians, and he is in the process of trying to reconstitute that empire by threatening Russia’s neighbors, regardless of the wishes of the people he seeks to rule over.

Putin is on the precipice of greatly escalating his war on Ukraine, upset that Ukrainians, as is their right, increasingly seek to leave the Soviet past behind them and reclaim their European heritage. Ukraine wants to renew historic ties with their western neighbor while building democracy and the rule of law.

Now, we saw over the week, particularly this weekend, Putin sending troops into Kazakhstan at the invitation of that country’s allied dictator to repress an unexpected popular uprising.

All this empire building rests on convincing the Russian people that despite their misery and his misrule, Putin is restoring Russia’s past glory, just like they could have a good economic future based on that past glory.

Now, this work of Putin requires a war on history. Putin recently gave a speech absurdly claiming Ukraine is not a real country, based on ignoring—or, rather, Russia’s co-opting—the much older history of civilization in Ukraine.

He has also rehabilitated the memory of the sadistic mass murderer Joseph Stalin. There is a book about how Putin’s Russia views the Stalinist past. Its title says it all. The title of the book is “It Was a Long Time Ago, and It Never Happened Anyway.” Now they have taken action in recent weeks to make sure that history of Russia’s past, particularly the abuse of its popu-

lation, never is known. And I will cover that in just a minute.

Stalin’s horrific crimes against the Russian people are a big obstacle to Putin’s narrative about the Soviet Union, as part of some sort of a proud Russian imperial tradition. So it comes as no surprise that Putin’s regime has forced the closure of a respected Russian human rights organization dedicated to the truth—the truth—about the victims of Soviet communism.

The independent human rights organization known as Memorial was co-founded by Nobel Peace Prize winner Andrei Sakharov in the waning days of the Soviet Union. Sakharov was a brave dissident who risked everything to call attention to the evils of the Soviet system. As some of my colleagues may recall, I led the effort in this U.S. Senate to name the street in front of the old Soviet Embassy in his Honor—Sakharov Plaza.

When the Soviet Union collapsed, Sakharov embodied the hope of a brighter, more democratic future for all of Russia, built on understanding and reckoning with its past.

The forced closure of Memorial after decades of noble work to bring awareness and to bring healing around the victims of Soviet communism is emblematic of the state of Putin’s Russia, but not the state of the Russian people. Moreover, the next day, he moved even further in this direction of trying to rewrite history or stop the truth from coming out. Putin shut down the separate but related Memorial Human Rights Center, which focused on political prisoners this very day who are being abused under Putin’s regime. This is a major setback for what is left of Russia’s civil society that started to emerge out of the wreckage of communism.

A robust civil society will be essential if Russia is ever to become a free, prosperous modern nation. Today, only President Putin stands in the way of that accomplishment.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. DUCKWORTH). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. CORNYN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### BIDEN ADMINISTRATION

Mr. CORNYN. Madam President, in recent years, our Democratic colleagues have taken their Washington-knows-best approach to governing to new and, frankly, frightening levels.

Our colleagues have tried to give the IRS unprecedented authority and manpower to snoop into the finances of virtually every American, not just what you make but how you spend your money.

They have attempted to control what type of childcare families can access,

saying that if it is faith-based, that it is not going to qualify for the extravagant subsidies they have proposed, and are driving up the costs for average, hard-working Texas families.

When it comes to our Democratic colleagues and their Washington-knows-best attitude, they have tried to force every person in this country into a one-size-fits-all healthcare system that, yes, government controls. They have argued that the President of the United States has the power to force all Americans, including those in the private sector, to get a vaccine regardless of whether they have naturally occurring antibodies as a result of having gotten COVID-19.

Now, they are mounting a Federal takeover of America’s State-run elections. That is what we will be talking about a lot this week.

As I said, this is consistent with this attitude that Washington knows best, not parents, not teachers, not business owners, not the workers, not even Governors, mayors, sheriffs, city councils, or local election officials. No. Washington knows best, is their attitude.

To state the obvious, that is not how the United States of America was designed under our Constitution. During the time of the founding, there was a lot of discussion of whether to have a national government or whether to have a Federal Government with the States as sovereign entities, subject only to national laws when the Federal Government preempted them with things like the Voting Rights Act, section 5. In fact, our very form of government was designed with checks and balances and dispersed authority primarily to protect the individual freedom of “we the people.”

Our Founders had the wisdom to devise a system of government comprised of three separate branches—coequal—to ensure that no single person or single institution became too powerful because, again, they viewed it as, the more powerful that single entity or single institution became, the less accountable they would be to the people and the less freedom we would have to conduct our own lives as we see fit.

But, as we know, it is not just distributed laterally among the various branches; it is distributed vertically as well. The Constitution makes clear that the States retain all authority not delegated to the Federal Government. That is the Tenth Amendment to the U.S. Constitution.

Of course, the power given to the States is sometimes set forth explicitly. For example, the Constitution gives the States the authority to set the time, place, and manner of elections. That is in the Constitution itself. Others are reserved under the Tenth Amendment.

Now, make no mistake, the Federal Government has very, very important responsibilities. When it comes to our national defense, when it comes to regulating interstate commerce, international diplomacy, setting taxes,



managing our national debt and deficits, the Federal Government should and must take the lead. But this is simply not a monarchy. It is not an authoritarian form of government that we see in other parts of the world. Our government is not top-down; it is bottom-up when it comes to the distribution of powers. The Federal Government was not designed to authorize anyone, including the President of the United States, the authority to hand down sweeping mandates for the people of this country.

Thomas Jefferson famously said, “The government closest to the people serves the people best,” and that is how he described the benefits of this bottom-up form of government rather than top-down, Washington-knows-best form of government that our Democratic colleagues seem to embrace almost across the board. For everything from healthcare to elections, our colleagues across the aisle have attempted to make prescriptive decisions against every State, city, and community across the country. By “prescriptive decisions,” I mean to tie the hands or to say “jump” and expect the States and local governments to ask “how high?”

But we are already beginning to see cracks in this strategy. When it has become clear that Washington doesn’t really know best, the Democrats have another idea: Blame somebody else. Just look at the Federal Government’s response to the pandemic of COVID-19. President Biden ran on a promise of a strong pandemic response by the Federal Government. He promised to make free testing widely available. He pledged to stop the misinformation that has led to widespread confusion about the virus, and he has vowed that public health decisions would be made by public health professionals and would not be based on political considerations.

Looking back, it is clear the American people were sold snake oil. As folks across the country can attest, free testing may exist, but you can’t find an appointment to get one of those tests. Rapid tests are in short supply, and even then, the cost is too high for many families.

The information coming from the Centers for Disease Control is providing the American people with more questions than answers. In the words of one New York Times columnist, “The highest-ranking public health officials are making statements that seem more aimed at covering up or making excuses for ongoing failures rather than leveling with the public.”

The administration has sided with political allies instead of the science. Last February, the CDC released a report that said schools are not breeding grounds for COVID-19, and as long as precautions are taken, schools can reopen safely. That was last February. But the science was at odds with the demands of teachers unions, so the administration refused to encourage

State and local leaders to reopen their schools.

So how is the President reacting in light of these broken promises and a failed pandemic response?

In a debate in October 2020, then-Candidate Biden talked about the previous administration’s pandemic response and the fact that more than 220,000 Americans had died. That was in October of 2020. He said anyone who is responsible for that many deaths should not remain President of the United States.

Well, today, we have lost more than 830,000 of our fellow Americans to this virus. That is nearly three times as many deaths as there were under the previous President’s watch, but President Biden isn’t stepping down. In fact, now he claims the Federal Government isn’t even responsible. Just a couple of weeks ago, President Biden pushed responsibility on to the States, saying there is no Federal solution; this gets solved at the State level. This is enough to give you whiplash—the radically changing, diametrically opposed positions of this administration and the President of the United States.

As it turns out, our colleagues only want Big Government when Big Government is consistent with their political objectives. If the promise of a strong Federal response to a deadly pandemic can help them win an election, well, they are all for it, but when they fail to plan and execute a strong response, they are quick to pass the responsibility and the blame on to someone else.

Well, our Federal form of government isn’t a system that can be gamed to benefit politicians when it is convenient and skirt responsibility when things go awry, but, unfortunately, that looks like where we are today, and the Democrats clearly view the calculus as leaning in their favor when it comes to their election takeover bills that we will be voting on this week.

Our colleagues have made repeated attempts to overhaul our Nation’s elections and give the Federal Government unprecedented power to manage America’s elections.

There was a Pew poll taken on November 20, 2020, asking people whether they found, in the election, it was easy or hard to vote, and 94 percent of the respondents said they found it either extremely easy or easy to vote—94 percent in the last election of November 2020.

In Texas, we had 11.3 million people vote—66 percent of registered voters—which was a consistent percentage across the country. There were historic turnouts in the election. Yet our Democratic colleagues want to fix a system that is not broken because it allows everyone, of every political stripe, of every race, of every ethnicity, and of every background, an equal opportunity to cast a ballot.

In Texas, you can vote for up to 2 weeks before election day itself, in person—2 weeks. The Justice Department

has sued Texas, saying that it somehow discriminates against people getting access to the ballot. That is a lawsuit that the Justice Department will lose because the facts simply do not demonstrate it.

Again, 94 percent of the people in this Pew poll of November 20, 2020, after the last election, said they found it either extremely easy or easy to cast their ballot. So our Democratic colleagues are simply flying into a headwind when it comes to their argument that, somehow, it is not easy to cast your ballot.

But there are some places where it is easier to vote than in others. For example, it is easier to vote in Georgia and in Texas under current law than it has been in the President’s State of Delaware, which, until this year, did not allow any early voting in person. You don’t hear the majority leader and you don’t hear Democratic colleagues talking about States like Delaware, which offered, until this year, zero opportunity for early voting in person; whereas Texas and Georgia, even after the election reforms they passed, still offer 2 weeks of early in-person voting.

So our Democratic colleagues’ explanation has changed over time. They argue that Washington knows best and that all of the State-run elections should be subsumed into a Federal system of elections. At one point, they said it was a matter of election security. Then they said: Well, no; it is really about voter confidence. Then they said, which is, I think, their current position, that only a national system can remove obstacles that prevent people from voting.

Well, when I said this was a solution in search of a problem, I was referring to that November 20, 2020, poll wherein 94 percent of the respondents said they found it easy to vote or very easy to vote. Clearly, again, our Democratic colleagues are looking for a problem or have offered a solution in search of a problem.

Among the proposals they have made, this is not about just making it easier to vote and harder to cheat; they are saying that this is somehow in response to the horrific attacks that occurred on the Capitol on January 6 of last year. They just keep throwing the spaghetti on the wall to see what sticks. For example, among the many proposed changes that they have offered, they say they want to turn the bipartisan Federal Election Commission into a Democratic-controlled, partisan commission, and then they want to seize the authority given under the Constitution for the States to draw their own congressional lines, instead handing all power to an unelected and unaccountable redistricting commission.

They have also tried to mandate ballot harvesting on the States—a practice that allows paid campaign staff and political operatives to collect mail-in ballots, to perhaps go by the local nursing home and collect ballots from folks in the nursing home and to

turn them in. This has been shown to be a recipe for mischief and election fraud. Yet they want to institutionalize it, and they want to say that the States cannot prohibit it.

These proposals would do more to protect our Democratic colleagues' jobs than to safeguard American voting rights.

What really concerns me and, I imagine, the American people as they learn more and more about what is in these bills is how much damage the Democratic Party is willing to do in order to secure a partisan victory. Not only are our colleagues trying to seize the authority given under the Constitution to the States to manage their own elections, they are willing to take a wrecking ball to the U.S. Senate itself and particularly the Senate rules. Somehow, protecting the foundation of our democracy has turned into ignoring the Constitution and blowing up this institution.

I need to clarify that not all 50 Senate Democrats are on board with this plan. Thank goodness, two of our colleagues have been clear in their outright opposition to eliminating or weakening the filibuster—the requirement that legislation, before it passes, must have bipartisan support rather than purely partisan bills like our Democratic colleagues want to pass without any support on the Republican side.

While there are two of our Senate colleagues from West Virginia and Arizona who have been public about their opposition to blowing up the Senate and to breaking Senate rules in order to accomplish a partisan objective, I imagine there are others unnamed who share the same concerns privately.

I hope our friends on the other side of the aisle will remain steadfast in their commitment to our Constitution and the norms and rules of this institution. If our colleagues are willing to go this far in the pursuit of raw political power, I would hate to think about how they would use it if they were to succeed.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mrs. BLACKBURN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### ELECTIONS

Mrs. BLACKBURN. Madam President, when Tennesseans go to the polls and cast their vote, they do so with the hope that the person whose name appears on their ballot will do what is best for their community. They expect that person to show respect for the Constitution and the rule of law and to protect the integrity of our most important institutions.

The people place a great deal of trust in us, and I don't think it is too much

to ask that we return the favor by recognizing that there are limits to how far the Federal Government can expand its reach. Many of my Democratic colleagues, however, would disagree with me on that premise. They returned to Washington this week ready to squander the people's trust on yet another power grab.

The election bill they are prepared to break the Senate rules to pass has failed multiple times, under multiple titles, and in different packaging. This has gone on for the last 20 years. But this latest round has one thing in common with all the other drafts that found their rightful place in the trash can: It has nothing to do with protecting the ballot box.

This is not a voting rights bill; it is a sweeping takeover of our democracy and a shocking attack on the constitutional authority of the States to determine the time, place, and manner of elections. That is right. This is not in statute; it is article I, section 4 of the Constitution.

I have said it before. I will say it again. These proposals read like something concocted by someone who has never stepped foot behind the scenes of their local polling place. It is concocted by people who probably have never spent 10 minutes as a poll worker carrying out and implementing an election, and they absolutely have never served a term on a local election commission.

It seems that our friends across the aisle are looking at all of these local elected and appointed officials who work elections and are saying: We think that you just are incapable and inept to carry out an election.

How disrespectful can you be?

The Federal Government has got to come in and save the day and take away the ability of your local elections registrar to carry forward an election.

I hope my colleagues will think about the message that they are sending because there is nothing in these proposals that would help your State and local leaders secure elections, and, in fact, many provisions would actually weaken the checks already in place against voter fraud.

This is the opposite of how it should be. It should be easy to vote and hard to cheat, not the other way around. And the people of this country and elected leaders have been saying no to the Federal takeover of elections for the past 20 years. But here we are again having to once again stand up against this desperate attempt to undermine voters and empower cheats and criminals by mandating ballot harvesting while rejecting voter ID requirements. That is in their bill—got to do it, got to allow ballot harvesting. That is where shenanigans happen.

We can't have voter ID requirements—no, no, no. We don't want anybody at the ballot box having to prove who they are. But be ready to show that ID if you want to get on a plane, if you want to get in a government

building, if you want to go buy a bottle of wine. Be ready to show that ID, prove your age, and prove who you are.

Their bill would also centralize power over elections in the hands of faceless, unaccountable bureaucrats—that is right—not your friends and neighbors working the polls and making decisions and serving on local election commissions. You will never know the people who say, "Hey, you are too stupid to figure out how to run these elections," because the Democrats are going to take all the power and authority away from your local friends and neighbors and send it to bureaucrats here in DC.

And they would embrace a one-size-fits-all rule book that any seasoned election worker knows will throw polling places into chaos.

In my home county in Tennessee, we have people who have worked these polls for years. They are dedicated. They are good people. I don't know their political party. I just know that they show up to make certain that our elections are free and fair, and I appreciate them.

Since the first iteration of this bill reared its head, the American people have seen it for what it is: an activist-driven, power-hungry solution in search of problems that do not exist. That is right; the problems don't exist.

The Democrats want you to believe that America as we know it will end if they don't pass this bill. They are acting like elections are in crisis. But do you know what? I think maybe it is the Democratic Party that is in crisis. They are staring at decades-high inflation, crime spikes, cascading public health failures, a southern border on the verge of collapse, embarrassing approval ratings, infighting so intense that watching the nightly news feels like you are watching a soap opera.

They can't get their arms around COVID. They can't figure it out. I just heard coming over here that the CDC is now going to mandate that insurance companies have to supply home testing kits for all of their enrollees. I mean, yeah, I think it is a party in crisis. And do you know what? The Democrats right now, they are desperate for a distraction. Oh, just give them something to change the narrative. And the benefit of this one, if they could pull this off, is that they won't have to worry about the American people holding them accountable for the fallout because they now will control the ballot process; they will control the election commissions.

And do you know what they are saying to the American public? Your vote doesn't count.

We have treasured one person, one vote. We have treasured fair, free, honest elections. And the Democrats are ready to throw it away for a power grab that is unprecedented and is incredibly disrespectful of the men and women in each of our counties who give of their time and work to hold these elections.

This is more than just another example of partisanship holding the Senate

hostage. And it is partisanship. It is "We have to do this, take away power from the people."

Oh, isn't it supposed to be a government of the people, by the people, and for the people? But, oh, I think my colleagues across the aisle have forgotten that. They think it is government for the powerful, government that is in control of one party and one party's agenda. That is what they are thinking.

This attack on the integrity of our elections is a complete betrayal of the trust that the people have given elected officials because we have colleagues across the aisle who are basically looking at their constituents in their various States and saying: Your opinion does not count.

Think about that.

You are not good enough. You are not smart enough. You can't handle it. So, hey—Federal Government—we are going to come and save you from yourselves. That is what they think.

It is their constitutional prerogative to determine the time, place, and manner of their own elections. That is what is given to the State legislatures. It is their prerogative, and it is not the job of Congress or the President or a battalion of unelected, faceless, nameless, unaccountable bureaucrats to burn down the goalposts when things at the ballot box don't go their way. But that is exactly what the Democratic Party is trying to do this week.

So you never will be able to complain to them. They want to hold all the cards. The purpose of this latest power grab isn't to make the people feel secure. Its purpose is to inject hysteria into what should be a very serious conversation about actually protecting the vote.

Everything the people hear from the Democrats this week will have been scripted to minimize truth and maximize chaos. Remember, they want you to believe that elections are in crisis.

"We have to fix it."

But, fortunately, Tennesseans and the American people know better than to believe what they are hearing on the nightly news and to believe what is coming from the Democratic Party. They also know there is only one reason a political party would work this hard to make elections easier for them to manipulate.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARDIN. Madam President, I ask unanimous consent that the vote scheduled at 5:30 commence immediately.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 612, Alan Davidson, of Maryland, to be Assistant Secretary of Commerce for Communications and Information.

Charles E. Schumer, Maria Cantwell, Patrick J. Leahy, Martin Heinrich, Tim Kaine, Gary C. Peters, Chris Van Hollen, Jeanne Shaheen, Tina Smith, Sheldon Whitehouse, Thomas R. Carper, Mazie Hirono, John W. Hickenlooper, Edward J. Markey, Jack Reed, Jacky Rosen, Tammy Baldwin.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Alan Davidson, of Maryland, to be Assistant Secretary of Commerce for Communications and Information, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN), the Senator from Georgia (Mr. OSSOFF), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Louisiana (Mr. CASSIDY), the Senator from North Dakota (Mr. HOEVEN), and the Senator from Mississippi (Mrs. HYDE-SMITH).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted "Nay."

The yeas and nays resulted—yeas 64, nays 30, as follows:

[Rollcall Vote No. 3 Ex.]

#### YEAS—64

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Romney
Blumenthal	Hirono	Rosen
Blunt	Inhofe	Rounds
Booker	Kaine	Schatz
Brown	Kelly	Schumer
Burr	King	Shaheen
Cantwell	Klobuchar	Sinema
Capito	Leahy	Smith
Cardin	Lee	Stabenow
Carper	Lujan	Sullivan
Casey	Manchin	Tester
Collins	Markey	Tillis
Coons	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Duckworth	Moran	Warnock
Durbin	Murkowski	Warren
Fischer	Murphy	Whitehouse
Gillibrand	Murray	Wicker
Graham	Padilla	Wyden
Grassley	Peters	
Hassan	Portman	

#### NAYS—30

Barrasso	Cornyn	Cruz
Blackburn	Cotton	Daines
Boozman	Cramer	Ernst
Braun	Crapo	Hagerty

Howley	McConnell	Scott (SC)
Johnson	Paul	Shelby
Kennedy	Risch	Thune
Lankford	Rubio	Toomey
Lummis	Sasse	Tuberville
Marshall	Scott (FL)	Young

#### NOT VOTING—6

Cassidy	Hoeven	Ossoff
Feinstein	Hyde-Smith	Sanders

(Mr. HEINRICH assumed the Chair.)

The PRESIDING OFFICER (Ms. SMITH). The yeas are 64, the nays are 30.

The motion is agreed to.

The PRESIDING OFFICER. The majority leader.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The majority leader.

#### TRIBUTE TO JACK BRAMMER

Mr. MCCONNELL. Madam President, when Jack Brammer interviewed me in 1984 for one of the first profile pieces of my political career, I quickly saw the high quality of his reporting. He was even-handed, fair, and honest—and has remained so throughout his 43 year career as the Lexington Herald-Leader's statehouse reporter. Jack has always been among the best journalists in the Commonwealth. Today, in honor of his retirement, I recognize him for standing at the pinnacle of Kentucky journalism for over four decades.

Jack Brammer is a lifelong Kentuckian. A native of Maysville, he joined the Lexington Herald-Leader in 1978 and has covered State politics ever since. We met in 1984 during my initial race for the U.S. Senate. Though many considered me an underdog, facing off against an entrenched incumbent, Jack took extensive time to interview me for his Herald-Leader profile. He even visited my parents in Shelbyville, sitting with them for hours to discuss my background and upbringing.

In today's era of journalism, when so much reporting takes place via text, tweet, and email, Jack's methods might seem startlingly old-fashioned. But he kept up his same dogged style, always going above and beyond to deliver the complete, unabridged truth to Kentuckians. He is a journalist in the best mold of the profession: unafraid to report the facts, presented without editorializing, and allowing his readers to come to their own conclusions. I will miss Jack's steadfast commitment to the truth, which can often seem sorely lacking in today's fast-paced, cut-throat media industry.

In his 43 years on the statehouse beat, Jack covered nearly every major

moment in Kentucky politics. Like me, he has a deep passion for our Commonwealth's history and has made critical contributions to the historical record through his reporting. He had a front-row seat to 10 gubernatorial administrations, dozens of legislative sessions, and countless significant political events. His deep, hard-won understanding of Kentucky politics sets him apart from nearly every other journalist in our State. I know everyone in the statehouse, from other journalists to legislators, to the general public, will miss him.

During Jack's retirement, I feel confident he will continue to share the wealth of wisdom he acquired over his legendary career. Jack has always been an enthusiastic mentor for younger journalists, taking generations of reporters under his wing to teach them the ropes of Kentucky State politics. As a graduate of the University of Kentucky and a member of their Journalism Hall of Fame, he has also spent time imparting his knowledge to the Commonwealth's future communications professionals. Even in retirement, he will continue to make a mark on our State.

I will miss Jack's reporting dearly. He represents the best of the journalistic profession, and Kentuckians have been fortunate to read his writing for more than four decades. I wish him well in his upcoming endeavors and look forward to learning what his future holds. I would like to express my personal gratitude for Jack Brammer's many years of service to the Commonwealth and encourage my Senate colleagues to join me in congratulating him on his well-earned retirement.

Madam President, Jack Brammer recently wrote an article in the Lexington Herald-Leader reflecting on his career. I ask unanimous consent the article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Lexington Herald-Leader, Jan. 2, 2022]

**'THEY SAY HE LOVED THAT PLACE.' MEMORIES OF WORKING 43+ YEARS IN KENTUCKY'S CAPITOL**

My mamaw, Bessie Price, often told me as a kid growing up in Mason County about once visiting a relative who had worked in the Kentucky Capitol.

Mamaw, a tenant farmer's wife who was rarely seen without an apron tied around her except when she was in church, didn't travel far from home in her life but the journey to the Capitol made a lasting impression on her.

"Oh, my, it's a grand building," she would say with a sparkle in her eyes. "I'm not sure if he was a janitor or a repair man. I once visited him there and I thought how marvelous it would be to work there. How blessed that would be."

How marvelous has it been for me to work more than 43 years in Kentucky's Capitol as a newspaperman for the Lexington Herald-Leader.

I have enough memories of the place to last—and comfort—me the rest of my days.

#### SPECTACLES IN THE CAPITOL

The Capitol often is the scene of news spectacles with hundreds, sometimes thousands,

of people. Remember all the teachers at the Capitol in 2018 and 2019 to advocate for education funding and protest teacher pensions?

The most spectacular events at the Capitol are the inaugurations of governors. I have covered 10 Kentucky governors—from Julian Carroll to Andy Beshear.

Inauguration Day is filled with pomp and pageantry. The morning parades with high school bands marching down Capital Avenue. The dignified swearing-in ceremonies in the afternoon, and the elegant inaugural balls in the evening.

When you see the new governor and first lady (or first husband, as was the case with Dr. Bill Collins when his wife, Martha Layne Collins, became Kentucky's first and only female governor in 1983) swirl in an embrace about the Rotunda floor to the melodies of a fine orchestra on inauguration night, it's like seeing a fairy tale come alive.

Each Inauguration Day has its own personality.

Certainly no inauguration was like that of Gov. John Y. Brown Jr. in 1979. Brown and his famous wife, Phyllis George, invited a host of celebrities to their celebration. Who could ever forget the Dallas Cowboy cheerleaders in their certainly warm-weather outfits in the middle of December in Kentucky?

#### FAMOUS PERSONALITIES IN THE CAPITOL

Famous people sometimes visit the Capitol as guests of governors or the legislature.

Heavyweight champion Muhammad Ali came calling. He once held court over a group of reporters outside the governor's office. Soon the conversation turned to former Gov. A.B. "Happy" Chandler, who, in a meeting of the University of Kentucky's board of trustees on April 5, 1988 to discuss UK's decision to dispose of its investments in South Africa, said, "You know Zimbabwe's all n— now. There aren't any whites."

Chandler's remark created a national firestorm. Ali questioned the reporters in the Capitol on whether any of them had ever uttered—or even thought—that controversial word.

Other special guests at the Capitol over the years included singer Billy Ray Cyrus leading the Kentucky House in a rousing rendition of "Achy Breaky Heart," Sally Ride as the first American woman in space, songwriter Tom T. Hall entertaining a group of lawmakers in the Speaker's office with "Old Dogs, Children and) Watermelon Wine," Andy Williams launching into "Moon River," and actress Jennifer Garner speaking on the Senate floor about a charity for children.

And then there was Victoria Principal, an actress on the TV series "Dallas" that captivated audiences in 1986 when she saw in a scene dubbed "In Her Dreams" her supposedly dead husband in a shower.

During a news conference at the Capitol, Principal was asked by a Kentucky reporter if she were going to continue acting.

"In your dreams," she purred as the reporter (with the initials JB) turned as red as a Kentucky cardinal.

Once, an animal was a guest at the Capitol who became semi-famous. The Newport Aquarium brought to the Senate in October 2013 a penguin that got excited and used the bathroom on the floor next to the desk of then-Senate President David Williams.

My first paragraph of the story summed it up: "A penguin pooped Tuesday on the Senate floor near the desk of Senate President David Williams."

#### POWERFUL SPEECHES IN THE CAPITOL

Speeches are plentiful in the Capitol—from State of the Commonwealth addresses by governors to pleas from lawmakers seeking support for their legislation.

Two powerful speeches over the years come to mind. Both were in the legislature. Both changed votes.

Bobby Richardson, a Glasgow attorney, was House majority leader from 1976 to 1982 and House Speaker from 1982 to 1985.

One of his finest moments came when he gave a floor speech on a bill to prohibit in vitro fertilization in Kentucky. It is a complex series of procedures used to help with fertility and the influential Kentucky Right to Life opposed it because of the possibility that some fertilized eggs might be destroyed.

Richardson took the lead on opposing the bill. He gave a powerful speech, saying the technology was a wonderful way for a childless couple to become parents. He was successful.

In the late 1980s, many legislators thought AIDS was an affliction of homosexuals.

Belinda Mason changed minds about the disease when she informed House members that she had contracted it from a January 1987 blood transfusion during the birth of her second child.

The daughter of Democratic state Rep. Paul Mason of Whitesburg, who was a strong advocate for the poor, died in 1991 from AIDS.

#### SAD TIMES IN THE CAPITOL

The most solemn events in the Capitol have been the lying in state of famous Kentuckians in the Rotunda.

In my time, they have included Col. Harland Sanders in 1980, Gov. A.B. "Happy" Chandler in 1991, Gov. Bert T. Combs in 1991, Gov. Lawrence W. Wetherby in 1994, Legislative Research Commission executive director Vic Hellard in 1996, Chief Justice Robert Stephens in 2002, Gov. Edward T. "Ned" Breathitt in 2003, Gov. Louie B. Nunn in 2004, Supreme Court Justice William McAnulty Jr. in 2008, Gov. and U.S. Sen. Wendell Ford in 2015 and state Sen. Georgia Davis Powers in 2016.

One of the saddest was in 2012, when Gov. Steve Beshear's chief of staff, Mike Haydon, unexpectedly died of a heart attack at age 62.

The saddest death I know of in the Capitol was in October 1983. Sy Ramsey, Frankfort correspondent for the Associated Press since 1962, was found dead in his second-floor office.

Ramsey, 59, was a mentor. We had roomed together in New York City to cover the 1980 Democratic presidential convention.

#### PEOPLE IN THE CAPITOL

Oh, the people I've met along the way—from governors, other constitutional officers, legislators, judges, state employees from agency heads to janitors, lobbyists and my media colleagues.

Mike Moloney of Lexington was a tough state senator who had little sympathy for state officials who appeared before his budget committee unable to answer questions about their offices' spending.

One reporter dubbed him but never told him to his face that his media nickname was "the Bobby Knight of the Kentucky General Assembly."

But that reporter—also with the initials JB—will always be indebted to the senator for being willing to meet with him on Friday mornings in the Annex cafeteria during legislative sessions to talk off the record about politics and government. Those conversations provided good information about the workings of the legislature.

Another favored legislator was House Speaker William Kenton. He was nicknamed "Boom Boom" for his booming voice. He wanted to be governor. He also regularly broke wooden gavels when he pounded them at his desk to get order in the House. Splinters flew everywhere. Maybe our affinity had something to do with both of us hailing from Maysville.

A source of joy has been witnessing so many of my work colleagues in the Frankfort bureau going on to stellar careers. Diana

Taylor was chief of staff for Gov. Brereton Jones from 1991 to 1993 and later formed her own successful consulting firm. John Winn Miller became an editor, publisher, screenwriter, indie movie producer and author. Cindy Rugeley is a political science professor at University of Minnesota Duluth. Mary Ann Roser runs a communications consulting company in Austin. Jackie Duke became editor of BloodHorse Publications. Chad Carlton is president of C2 Strategic Communications in Louisville. Angie Muhs was an executive editor in Maine and Illinois. Jamie Lucke became a compelling editorial writer. Monica Richardson is now executive editor of the Miami Herald. Ryan Alessi teaches journalism and media classes at James Madison University in Virginia. Daniel Desrochers is in the McClatchy news bureau in Washington.

Several of my former Frankfort colleagues still are cranking it out as top-notch news reporters at the Herald-Leader: John Cheves, Bill Estep, Beth Musgrave and Valarie Honeycutt Spears.

Two of my partners in the Frankfort bureau became my bosses: Peter Baniak is editor and general manager of the Herald-Leader and John Stamper is deputy editor for accountability. They always let me state my opinions.

My admiration for my Herald-Leader colleagues extends to news people in other media outlets. They have been most tenacious and competitive and I am proud to call them my friends.

We all had a most wonderful building for our workplace.

#### LIFE WITHOUT THE CAPITOL

I will miss the Capitol, even the late nights in the frenetic final hours of a legislative session. I started working there in my 20s. I leave it in my 70s.

Perhaps a future relative of mine some day will say something nice about his or her next of kin who once reported, pondered, wrote, laughed and cried in the Kentucky Capitol.

I hope that person says of me and the place I worked, "They say he called it a grand building, filled with spectacles and news and, most importantly, interesting people."

"They say he loved that place."

### ARMS SALES NOTIFICATION

UNITED STATES SENATE,  
COMMITTEE ON FOREIGN RELATIONS,  
Washington, DC.

MADAM PRESIDENT: Section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the Record the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, Room SD-423.

Sincerely,

ROBERT MENENDEZ,  
Chairman.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY,  
COOPERATION AGENCY,  
Arlington, VA.

Hon. Robert Menendez,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 21-67, concerning the Air Force's proposed Letter(s) of Offer and Acceptance to the Government of France for defense articles and services estimated to cost \$300 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

JAMES A. HURSCH,  
Director.

Enclosures.

TRANSMITTAL NO. 21-67

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of France.

(ii) Total Estimated Value:

Major Defense Equipment\* \$0 million.

Other \$300 million.

Total \$300 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): None.

Non-MDE: Follow-on Contractor Logistics Support to include contractor provided MQ-9 aircraft components, spares and accessories; repair and return; software and software support services; simulator software; personnel training and training equipment; publications and technical documentation; U.S. Government and contractor provided engineering, technical and logistical support services; and other related elements of logistical and program support.

(iv) Military Department: Air Force (FR-D-QAO).

(v) Prior Related Cases, if any: FR-D-STE, FR-D-SAC, FR-D-SAD.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: None.

(viii) Date Report Delivered to Congress: January 7, 2022.

\*As defined in Section 47(6) of the Arms Export Control Act.

#### POLICY JUSTIFICATION

France—MQ-9 Follow-on Contractor Logistics Support

The Government of France has requested to buy follow-on Contractor Logistics Support to include contractor provided MQ-9 aircraft components, spares and accessories; repair and return; software and software support services; simulator software; personnel training and training equipment; publications and technical documentation; U.S. Government and contractor provided engineering, technical and logistical support services; and other related elements of logistical and program support. The estimated total cost is \$300 million.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a NATO ally that is an important force for political stability and economic progress in Europe.

The proposed sale will improve France's capability to meet current and future threats by ensuring the operational readiness of the French Air Force. France's MQ-9 aircraft fleet provides Intelligence, Surveil-

lance, and Reconnaissance support that directly supports U.S. and coalition operations around the world. France will have no difficulty absorbing these support services into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractor will be General Atomics, Poway, CA. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any additional U.S. Government or contractor representatives to France.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

### ADDITIONAL STATEMENTS

#### TRIBUTE TO SPRINGDALE POLICE CHIEF MIKE PETERS

● Mr. BOOZMAN. Madam President, I rise today to recognize Springdale Police Chief Mike Peters, who spent his career serving his community with unwavering commitment. His retirement as chief of the Springdale Police Department will surely leave big shoes to fill.

Chief Peters' dedication to his job is a testament to his character and courage, beginning with his pledge to serve his country in the U.S. Army. Being in uniform for more than 5 years taught him countless lessons about the importance of leading by example and serving others. That service helped shape him into the leader he is today and gave him the tools to build a 30-year career in the Springdale Police Department.

Peters' Arkansas roots also helped inspire him to stay in the Natural State and serve his community. He graduated from the University of Arkansas and demonstrated his abilities in service and in the classroom, which helped his career advancement.

After his time in the Army and the Arkansas National Guard, Peters worked in investigations and drug enforcement. He thrived in this role and was promoted to sergeant in 1998. After working as a shift supervisor for 4 years, he was promoted to Lieutenant in 2001 and then captain in 2004. His clear devotion to the force and record of time and time again sacrificing for his community allowed him to advance quickly. Peters' served rotations in administration, patrol, and investigations before being promoted to Springdale chief of police on September 11, 2015.

His accomplishments and accolades have been plentiful and essential, including the design and construction of the Criminal Justice Complex, which houses the new police department and district court and its offices; graduating from the FBI National Academy; and memberships within the International Association of Chiefs of Police, the Arkansas Association of Chiefs of Police, and the FBI National Academy Association.

Chief Peters is known for being a strong leader who truly cared for those under him. "It's his leadership and how he brings up others beneath him to build on what the department has done and advance the department," Springdale Mayor Doug Sprouse said about his service.

Peters' long and extremely successful career is representative of so much of our law enforcement across the State and the Nation. I am so thankful and proud of the men and women in blue who serve their communities everyday by keeping citizens safe and providing them vital support and assistance. I congratulate Chief Peters on the incredible impact he has left on Springdale and his fellow members of the Springdale Police Department. I wish him luck in his next endeavor.●

#### TRIBUTE TO CAITLIN-MCGRATH LEVESQUE OF PORTSMOUTH

● Ms. HASSAN. Madam President, I am honored to recognize Caitlin McGrath-Levesque of Portsmouth as December's Granite Stater of the Month. Following the death of her youngest brother, Caitlin and her two siblings turned their grief into action by creating a nonprofit in his honor to provide free, hot meals to those in need.

Caitlin's late brother—who went by "Red"—was an avid volunteer in the Seacoast area. After he died, Caitlin and her siblings decided that the best way to honor their brother was by giving back to their community.

Following a \$100 donation from each of the siblings, Red's Good Vibes was officially born.

Red's Good Vibes consists of one food truck—with a second one on the way—that travels around the Seacoast to communities with the most need. The nonprofit collects monetary donations, as well as utilizes relationships with the NH Food Bank, local restaurants, and grocery stores, which allows them to service communities 3 days a week with the help of dedicated volunteers.

For Caitlin and her siblings, one of the most important goals of Red's Good Vibes is to make sure that all clients are treated with the utmost respect and dignity.

In that vein, Red's Good Vibes always works to ensure that clients have multiple meal options, which helps make the experience feel more like a normal food truck than a charity. The nonprofit also never asks for suggested donations when volunteers are actively serving food to avoid making anyone feel compelled to donate in the moment.

Red's Good Vibes is a labor of love for Caitlin and her siblings, who found a way to honor their brother in the most authentic way that they could. Thanks to their dedication, and the hard work of their volunteers, Red's Good Vibes distributes 1,500 hot meals a week to Granite Staters facing food insecurity. Soon, the nonprofit hopes

to double that number using a second food truck that they are leasing from the city of Dover for \$1 a year.

Caitlin turned a tragedy into an opportunity to give back to her community, which exemplifies the Granite State's ingenuity and all-hands-on-deck spirit. I am proud to honor Caitlin as December's Granite Stater of the Month, and I wish Red's Good Vibes continued success serving their community.●

#### RECOGNIZING JACOBS LUMBER COMPANY, INC.

● Mr. RISCH. Madam President, as a member and former chairman of the Senate Committee on Small Business and Entrepreneurship, each month I recognize and celebrate the American entrepreneurial spirit by highlighting the success of a small business in my home State of Idaho. Today, I am pleased to honor Jacobs Lumber Company, Inc., in Kamiah as the Idaho Small Business of the Month for January 2022.

Jacobs Lumber Company is a full-service lumber and hardware store that provides housing and construction services in a one-stop shop. Founder and owner Keith Jacobs has long had a hand in Kamiah's lumber industry. At 14 years old, Keith began his career at Kamiah's Bi-Rite Lumber Company, where he worked until it was sold in 1993. After a few years working out of State, Keith returned home to Kamiah and founded Jacobs Lumber Co. in 1997.

Jacobs Lumber Company is renowned for a deep commitment to its customers and community. The business sources products from local loggers and fellow small businesses throughout the region, ensuring its customers have the best quality products. Keith attributes much of his company's success to the relationships they have cultivated with their customers. This hometown-driven approach to business has helped build communities and welcome newcomers to our great State.

The Jacobs family is also committed to giving back to its patrons. In March 2021, the company was honored as the first recipient of the Kamiah School District's Community Business Award. Jacobs Lumber Company maintains a strong tradition of supporting Kamiah schools, athletic programs, and camps. Jacobs has passed along his commitment to service and community, hard work, and charity to his own children. Today, Keith co-owns the company with his son, Slade, promising to serve the people of Kamiah for generations to come.

Congratulations to Keith, his family, and all of the employees of Jacobs Lumber Company, Inc. on being selected as the Idaho Small Business of the Month for January 2022. You make our great state proud, and I look forward to your continued growth and success.●

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Swann, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

In executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The messages received today are printed at the end of the Senate proceedings.)

#### MESSAGE FROM THE HOUSE

At 4:02 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended, and the order of the House of January 4, 2021, the Speaker re-appoints the following individual on the part of the House of Representatives to the United States-China Economic and Security Review Commission for a term expiring on December 31, 2023: Ms. Carolyn Bartholomew of Washington, D.C.

The message further announced that pursuant to 22 U.S.C. 7002, the Minority Leader appoints the following individual to the United States-China Economic and Security Review Commission: Mr. Robert Borochoff of Houston, Texas.

The message also announced that pursuant to 22 U.S.C. 7002, the Minority Leader appoints the following individual to the United States-China Economic and Security Review Commission: Mr. Alex N. Wong of Wyckoff, New Jersey.

#### MEASURES READ THE FIRST TIME

The following bills were read the first time:

S. 3452. A bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S. 3453. A bill to prohibit the payment of certain legal settlements to individuals who unlawfully entered the United States.

S. 3454. A bill to clarify the rights of Indians and Indian Tribes on Indian lands under the National Labor Relations Act.

S. 3455. A bill to prohibit the implementation of new requirements to report bank account deposits and withdrawals.

S. 3456. A bill to enact the definition of "waters of the United States" into law, and for other purposes.

S. 3457. A bill to codify the temporary scheduling order for fentanyl-related substances by adding fentanyl-related substances to schedule I of the Controlled Substances Act.

S. 3458. A bill to amend title 18, United States Code, to provide enhanced penalties



for convicted murderers who kill or target America's public safety officers.

S. 3459. A bill to prohibit a Federal agency from promulgating any rule or guidance that bans hydraulic fracturing in the United States, and for other purposes.

S. 3460. A bill to prohibit local educational agencies from obligating certain Federal funds when schools are not providing full time in-person instruction.

S. 3461. A bill to provide that the rule submitted by the Department of Labor relating to "COVID-19 Vaccination and Testing; Emergency Temporary Standard" shall have no force or effect, and for other purposes.

S. 3462. A bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 3463. A bill to impose sanctions and other measures in response to the failure of the Government of the People's Republic of China to allow an investigation into the origins of COVID-19 at suspect laboratories in Wuhan.

S. 3464. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 3465. A bill to clarify the treatment of 2 or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938.

S. 3466. A bill to prohibit the use of Federal funds for the production of programs by United States companies that alter political content for screening in the People's Republic of China, and for other purposes.

S. 3467. A bill to withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and for other purposes.

S. 3468. A bill to provide for a limitation on the removal of the Government of Cuba from the state sponsors of terrorism list.

S. 3469. A bill to establish a review of United States multilateral aid.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2886. A communication from the Regulations Writer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Extension of Expiration Dates for Four Body System Listings" (RIN0960-AI65) received in the Office of the President of the Senate on December 16, 2021; to the Committee on Finance.

EC-2887. A communication from the Executive Secretary, U.S. Agency for International Development (USAID), transmitting, pursuant to law, nine (9) reports relative to vacancies in the U.S. Agency for International Development (USAID), received in the Office of the President of the Senate on December 15, 2021; to the Committee on Foreign Relations.

EC-2888. A communication from the Senior Bureau Official, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Implementation of Executive Order 12938 Concerning the Proliferation of Weapons of Mass Destruction"; to the Committee on Foreign Relations.

EC-2889. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Federal-

State Relationship Agreements, Federal Pell Grant Program, Academic Competitiveness Grant, and National Science and Mathematics Access to Retain Talent Grant" (RIN1840-AD46) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-2890. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled "Final Priorities and Definitions - Secretary's Supplemental Priorities and Definitions for Discretionary Grants Programs" (34 CFR Part 75) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC-2891. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Nurse Corps Loan Repayment and Scholarship Programs Fiscal Year 2020"; to the Committee on Health, Education, Labor, and Pensions.

EC-2892. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Laboratory Accreditation for Analyses of Foods" (RIN0910-AH31) received in the Office of the President of the Senate on December 15, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2893. A communication from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Pediatric Research in Fiscal Year 2020"; to the Committee on Health, Education, Labor, and Pensions.

EC-2894. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Tobacco Products; Required Warnings for Cigarette Packages and Advertisements; Delayed Effective Date" (RIN0910-AI39) received in the Office of the President of the Senate on December 15, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2895. A communication from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "National Vaccine Injury Compensation Program: Adding the Category of Vaccines Recommended for Pregnant Women to the Vaccine Injury Table" (RIN0906-AB27) received in the Office of the President of the Senate on December 15, 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2896. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2022-02, Technical Amendments" (FAC 2022-02) received in the Office of the President of the Senate on December 16, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2897. A communication from the Director, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2022-02, Introduction" (FAC 2022-02) received in the Office of the President of the Senate on December 16, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2898. A communication from the Chairman of the National Transportation Safety

Board, transmitting, pursuant to law, the Board's Performance and Accountability report for fiscal year 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2899. A communication from the Chief Financial Officer, National Labor Relations Board, transmitting, pursuant to law, a report entitled "Performance and Accountability Report for Fiscal Year 2021"; to the Committee on Homeland Security and Governmental Affairs.

EC-2900. A communication from the Deputy Assistant Administrator, United States Agency for International Development, transmitting, pursuant to law, the Agency's Semiannual Report of the Inspector General for the period from April 1, 2021 through September 30, 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2901. A communication from the Deputy Assistant Administrator, U.S. Agency for International Development (USAID), transmitting, pursuant to law, the Uniform Resource Locator (URL) for USAID's Agency Financial Report for fiscal year 2021; to the Committee on Homeland Security and Governmental Affairs.

EC-2902. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Under Secretary for Intelligence and Analysis, Department of Homeland Security, received in the Office of the President of the Senate on December 16, 2021; to the Select Committee on Intelligence.

EC-2903. A communication from the Supervisory Workforce Analyst, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled "Strengthening Wage Protections for the Temporary and Permanent Employment of Certain Immigrants and Non-Immigrants in the United States, Implementation of Vacatur" (RIN1205-AC00) received in the Office of the President of the Senate on December 16, 2021; to the Committee on the Judiciary.

EC-2904. A communication from the Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Fourth Quarter of fiscal year 2021"; to the Committee on Veterans' Affairs.

EC-2905. A communication from the Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Commission's competitive sourcing efforts during fiscal year 2021; to the Committee on Commerce, Science, and Transportation.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. WARNOCK (for himself and Mr. KENNEDY):

S. 3448. A bill to award a Congressional Gold Medal to the Freedom Riders, collectively, in recognition of their unique contribution to Civil Rights, which inspired a revolutionary movement for equality in interstate travel; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. PETERS (for himself and Ms. COLLINS):

S. 3449. A bill to require foreign establishments engaged in the manufacture, preparation, propagation, compounding, or processing of a drug or device to register with the Food and Drug Administration regardless of whether the drug or device undergoes further manufacture, preparation, propagation, compounding, or processing at a separate establishment outside the United States prior to being imported into the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DAINES (for himself and Mr. TESTER):

S. 3450. A bill to authorize the Secretary of the Interior to construct, operate, and maintain facilities in the Sun River project, Montana, for the purpose of hydroelectric power generation; to the Committee on Energy and Natural Resources.

By Mr. HAGERTY (for himself, Mr. KING, and Mr. PORTMAN):

S. 3451. A bill to include certain computer-related projects in the Federal permitting program under title XLI of the FAST Act, and for other purposes; considered and passed.

By Mr. TOOMEY:

S. 3452. A bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States; read the first time.

By Mr. TILLIS (for himself, Mr. COTTON, and Mr. CORNYN):

S. 3453. A bill to prohibit the payment of certain legal settlements to individuals who unlawfully entered the United States; read the first time.

By Mr. MORAN:

S. 3454. A bill to clarify the rights of Indians and Indian Tribes on Indian lands under the National Labor Relations Act; read the first time.

By Mr. SCOTT of South Carolina:

S. 3455. A bill to prohibit the implementation of new requirements to report bank account deposits and withdrawals; read the first time.

By Mrs. CAPITO:

S. 3456. A bill to enact the definition of "waters of the United States" into law, and for other purposes; read the first time.

By Mr. COTTON:

S. 3457. A bill to codify the temporary scheduling order for fentanyl-related substances by adding fentanyl-related substances to schedule I of the Controlled Substances Act; read the first time.

By Mr. TOOMEY (for himself, Mr. TILLIS, Mr. COTTON, Mr. JOHNSON, Mr. HOEVEN, Mr. BRAUN, Mrs. CAPITO, Mr. INHOFE, Ms. ERNST, Mr. BLUNT, Mr. THUNE, Mrs. BLACKBURN, Mr. RUBIO, Mr. SCOTT of Florida, Mr. ROUNDS, and Mr. TUBERVILLE):

S. 3458. A bill to amend title 18, United States Code, to provide enhanced penalties for convicted murderers who kill or target America's public safety officers; read the first time.

By Mr. CRAMER:

S. 3459. A bill to prohibit a Federal agency from promulgating any rule or guidance that bans hydraulic fracturing in the United States, and for other purposes; read the first time.

By Mr. RUBIO:

S. 3460. A bill to prohibit local educational agencies from obligating certain Federal funds when schools are not providing full time in-person instruction; read the first time.

By Mr. BRAUN:

S. 3461. A bill to provide that the rule submitted by the Department of Labor relating to "COVID-19 Vaccination and Testing;

Emergency Temporary Standard" shall have no force or effect, and for other purposes; read the first time.

By Ms. ERNST:

S. 3462. A bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes; read the first time.

By Mr. RUBIO (for himself, Mr. SCOTT of South Carolina, Mr. CORNYN, Mr. SCOTT of Florida, Mr. CRAMER, Mr. MARSHALL, Mr. DAINES, Mr. GRASSLEY, Mr. LANKFORD, Mr. SASSE, Mr. TUBERVILLE, Mrs. HYDE-SMITH, Mr. BRAUN, Mrs. BLACKBURN, Mr. HAGERTY, and Mr. KENNEDY):

S. 3463. A bill to impose sanctions and other measures in response to the failure of the Government of the People's Republic of China to allow an investigation into the origins of COVID-19 at suspect laboratories in Wuhan; read the first time.

By Mr. PAUL:

S. 3464. A bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities; read the first time.

By Mr. MARSHALL:

S. 3465. A bill to clarify the treatment of 2 or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938; read the first time.

By Mr. CRUZ:

S. 3466. A bill to prohibit the use of Federal funds for the production of programs by United States companies that alter political content for screening in the People's Republic of China, and for other purposes; read the first time.

By Mr. RISCH (for himself, Mr. CRAPO, Mr. WICKER, Mr. SCOTT of Florida, Mr. TILLIS, Mr. BOOZMAN, and Mr. THUNE):

S. 3467. A bill to withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and for other purposes; read the first time.

By Mr. RISCH:

S. 3468. A bill to provide for a limitation on the removal of the Government of Cuba from the state sponsors of terrorism list; read the first time.

By Mr. RISCH:

S. 3469. A bill to establish a review of United States multilateral aid; read the first time.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. BRAUN (for himself, Mr. MURPHY, Mr. YOUNG, Mr. RUBIO, and Mrs. CAPITO):

S. Res. 486. A resolution recognizing Intercollegiate Athletic Administrators' Day on December 14, 2021; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 251

At the request of Mr. LEE, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 251, a bill to provide that for purposes of determining compliance with title IX of the Education Amendments of

1972 in athletics, sex shall be recognized based solely on a person's reproductive biology and genetics at birth.

S. 697

At the request of Ms. ROSEN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 697, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the Bicentennial of Harriet Tubman's birth.

S. 829

At the request of Mr. PORTMAN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 829, a bill to amend title 10, United States Code, to improve the TRICARE program for certain members of the Retired Reserve of the reserve components.

S. 984

At the request of Mr. MERKLEY, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 984, a bill to amend the Solid Waste Disposal Act to reduce the production and use of certain single-use plastic products and packaging, to improve the responsibility of producers in the design, collection, reuse, recycling, and disposal of their consumer products and packaging, to prevent pollution from consumer products and packaging from entering into animal and human food chains and waterways, and for other purposes.

S. 1574

At the request of Mr. SCOTT of South Carolina, the name of the Senator from Kansas (Mr. MARSHALL) was added as a cosponsor of S. 1574, a bill to codify a statutory definition for long-term care pharmacies.

S. 1988

At the request of Mr. MANCHIN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1988, a bill to amend title XVIII of the Social Security Act to protect access to telehealth services under the Medicare program.

S. 2036

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2036, a bill to amend the Packers and Stockyards Act, 1921, to establish the Office of the Special Investigator for Competition Matters, and for other purposes.

S. 2720

At the request of Mr. MORAN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 2720, a bill to direct the Secretary of Veterans Affairs to establish a national clinical pathway for prostate cancer, and for other purposes.

S. 3141

At the request of Mr. DURBIN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 3141, a bill to establish the New

Philadelphia National Historical Park in the State of Illinois as a unit of the National Park System, and for other purposes.

S. 3229

At the request of Mrs. FISCHER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 3229, a bill to amend the Agricultural Marketing Act of 1946 to establish a cattle contract library, and for other purposes.

S. 3318

At the request of Mr. COTTON, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 3318, a bill to deter foreign financial institutions from providing banking services for the benefit of foreign terrorist organizations and from facilitating or promoting payments for acts of terrorism.

S. 3349

At the request of Mr. RISCH, the name of the Senator from Georgia (Mr. WARNOCK) was added as a cosponsor of S. 3349, a bill to require the Administrator of the Small Business Administration to provide applicants for certain loans and grants with updates with respect to those applications, and for other purposes.

S. 3403

At the request of Mr. RUBIO, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 3403, a bill to prohibit the disbursement of Federal funds to State and local governments that allow individuals who are not citizens of the United States to vote in any Federal, State, or local election.

S. 3407

At the request of Mr. RISCH, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Iowa (Ms. ERNST) were added as cosponsors of S. 3407, a bill to promote security partnership with Ukraine.

S. 3436

At the request of Mr. CRUZ, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 3436, a bill to require the imposition of sanctions with respect to entities responsible for the planning, construction, or operation of the Nord Stream 2 pipeline and their corporate officers and to apply congressional review under the Countering America's Adversaries Through Sanctions Act to the removal of sanctions relating to Nord Stream 2, and for other purposes.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 486—RECOGNIZING INTERSCHOLASTIC ATHLETIC ADMINISTRATORS' DAY ON DECEMBER 14, 2021

Mr. BRAUN (for himself, Mr. MURPHY, Mr. YOUNG, Mr. RUBIO, and Mrs. CAPITO) submitted the following resolution; which was considered and agreed to:

Whereas, each December, the Senate recognizes the positive contributions of interscholastic athletic administrators;

Whereas the position of school athletic administrator is recognized as a profession, which, like other academic professions, benefits greatly from continued education and certification;

Whereas school athletic programs develop young people physically, mentally, socially, and emotionally by the life lessons learned through participation and competition;

Whereas interscholastic athletic participation is an integral part of a student's educational experience and enhances the learning and maturation process;

Whereas athletic administrators are committed to developing and maintaining comprehensive education-based athletic programs which seek the highest development of all student athletes;

Whereas athletic administrators fulfill professional responsibilities with integrity, commitment to equality, industriousness to long hours, and fairness;

Whereas athletic administrators preserve, enhance, and promote the educational values of athletics in our schools through professional growth in the areas of education, leadership, and service;

Whereas athletic administrators embody high standards of ethics, sportsmanship, and personal conduct and encourage coaching staffs, student athletes, and community members to commit to these high standards as well; and

Whereas the athletic programs run by these administrators have impacts that extend well beyond the playing field, athletic venues, and even the school: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the annual recognition of Interscholastic Athletic Administrators' Day on December 14, 2021;

(2) commends athletic administrators for their commitment and leadership provided to student athletes at the secondary school level; and

(3) commends the National Interscholastic Athletic Administrators Association as the leading organization that prepares those who lead secondary school athletics throughout the country, providing continuous learning, compassion, and preparation within the profession.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 4897. Mr. SCHUMER (for Mr. BURR) proposed an amendment to the bill S. 450, to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley.

## TEXT OF AMENDMENTS

**SA 4897.** Mr. SCHUMER (for Mr. BURR) proposed an amendment to the bill S. 450, to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley; as follows:

Strike all after the enacting clause and insert the following:

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Emmett Till and Mamie Till-Mobley Congressional Gold Medal Act of 2021".

### SEC. 2. FINDINGS.

Congress finds the following:

(1) The brutal lynching of Emmett Till and the subsequent bravery and boldness of his mother, Mamie Till-Mobley, became a catalyst for the civil rights movement.

(2) On August 28, 1955, 14-year-old Emmett Till was kidnapped, beaten, and shot in Money, Mississippi, where he had traveled from Chicago to stay with his great uncle, Moses Wright.

(3) The corpse of Emmett Till was discovered 3 days later in the Tallahatchie River and his murderers were acquitted despite Moses Wright providing an eyewitness testimony that the men on trial kidnapped Emmett Till.

(4) Mamie Till-Mobley, the mother of Emmett Till, demonstrated her love for her son and her courage and strength in suffering in the days that followed as she brought the body of Emmett Till back to Chicago for burial and demanded an open casket funeral, which drew more than 50,000 attendees.

(5) Mamie Till-Mobley further allowed a photograph to be taken of Emmett Till in his casket, which was shown throughout the world.

(6) The original casket of Emmett Till stands on display at the National Museum of African American History and Culture as an enduring reminder of the racial violence that is a part of the history of the United States that the people of the United States must confront.

(7) The heroic actions of Mamie Till-Mobley in the midst of evil, injustice, and grief became a catalyst for the civil rights movement and continued in the years to come as she worked for justice and honored the legacy of Emmett Till.

(8) Mamie Till-Mobley went on to create the Emmett Till Players, which was a significant national cultural contribution as teenagers traveled throughout the country presenting Martin Luther King Jr. speeches in the name of Emmett Till.

(9) Mamie Till-Mobley also served as chair and co-founder of the Emmett Till Justice Campaign, which had the dual mission of reopening the murder of Emmett Till for a reinvestigation and a passage into law of Federal legislation to ensure that other racially motivated murders during the civil rights era were investigated and, when possible, prosecuted.

(10) The efforts of the Emmett Till Justice Campaign led to the successful joint investigation by the State of Mississippi, the Federal Bureau of Investigation, and the Department of Justice in 2004, the passage of the Emmett Till Unsolved Civil Rights Crime Act of 2007 (Public Law 110-344; 122 Stat. 3934), signed into law by President George W. Bush, and the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 (Public Law 114-325; 130 Stat. 1965), signed into law by President Barack Obama.

(11) The people of the United States honor the legacy of Emmett Till and the incredible suffering and equally incredible courage, resilience, and efforts of Mamie Till-Mobley that led to the civil rights movement that began in the 1950s.

### SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) **PRESENTATION AUTHORIZED.**—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the posthumous presentation, on behalf of Congress, of a gold medal of appropriate design in commemoration of Emmett Till and Mamie Till-Mobley.

(b) **DESIGN AND STRIKING.**—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the "Secretary") shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary. The design shall bear an image of, and inscriptions of the name of, "Emmett Till" and "Mamie Till-Mobley".

(c) **AWARD OF MEDAL.**—

(1) IN GENERAL.—After the award of the gold medal referred to in subsection (a), the gold medal shall be given to the National Museum of African American History and Culture, where it shall be displayed as appropriate.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the National Museum of African American History and Culture should make the gold medal received under paragraph (1) available for display elsewhere, particularly at other locations and events associated with Emmett Till and Mamie Till-Mobley.

#### SEC. 4. DUPLICATE MEDALS.

The Secretary may strike and sell duplicates in bronze of the gold medal struck under section 3, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

#### SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—Medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

#### SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.

(a) AUTHORITY TO USE FUND AMOUNTS.—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck under this Act.

(b) PROCEEDS OF SALES.—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited into the United States Mint Public Enterprise Fund.

MEASURES READ THE FIRST TIME—S. 3452, S. 3453, S. 3454, S. 3455, S. 3456, S. 3457, S. 3458, S. 3459, S. 3460, S. 3461, S. 3462, S. 3463, S. 3464, S. 3465, S. 3466, S. 3467, S. 3468, S. 3469

Mr. SCHUMER. Madam President, I understand there are 18 bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The senior assistant legislative clerk reads as follows:

A bill (S. 3452) to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

A bill (S. 3453) to prohibit the payment of certain legal settlements to individuals who unlawfully entered the United States.

A bill (S. 3454) to clarify the rights of Indians and Indian Tribes on Indian lands under the National Labor Relations Act.

A bill (S. 3455) to prohibit the implementation of new requirements to report bank account deposits and withdrawals.

A bill (S. 3456) to enact the definition of "waters of the United States" into law, and for other purposes.

A bill (S. 3457) to codify the temporary scheduling order for fentanyl-related substances by adding fentanyl-related substances to schedule I of the Controlled Substances Act.

A bill (S. 3458) to amend title 18, United States Code, to provide enhanced penalties

for convicted murderers who kill or target America's public safety officers.

A bill (S. 3459) to prohibit a Federal agency from promulgating any rule or guidance that bans hydraulic fracturing in the United States, and for other purposes.

A bill (S. 3460) to prohibit local educational agencies from obligating certain Federal funds when schools are not providing full time in-person instruction.

A bill (S. 3461) to provide that the rule submitted by the Department of Labor relating to "COVID-19 Vaccination and Testing; Emergency Temporary Standard" shall have no force or effect, and for other purposes.

A bill (S. 3462) to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

A bill (S. 3463) to impose sanctions and other measures in response to the failure of the Government of the People's Republic of China to allow an investigation into the origins of COVID-19 at suspect laboratories in Wuhan.

A bill (S. 3464) to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

A bill (S. 3465) to clarify the treatment of 2 or more employers as joint employers under the National Labor Relations Act and the Fair Labor Standards Act of 1938.

A bill (S. 3466) to prohibit the use of Federal funds for the production of programs by United States companies that alter political content for screening in the People's Republic of China, and for other purposes.

A bill (S. 3467) to withhold United States contributions to the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), and for other purposes.

A bill (S. 3468) to provide for a limitation on the removal of the Government of Cuba from the state sponsors of terrorism list.

A bill (S. 3469) to establish a review of United States multilateral aid.

Mr. SCHUMER. I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will receive their second reading on the next legislative day.

#### UNANIMOUS CONSENT REQUEST

Mr. SCHUMER. A few moments ago, I went through the typical rule XIV process, which the majority leader always does to place legislation from both minority and majority on the legislative calendar. It is merely technical.

Now, the Republican leader seems to want to place a bunch of "gotcha" bills on the legislative calendar that he thinks would be tough votes for Democrats to take as some kind of payback for pursuing legislation to protect the sacred right to vote.

Well, we Democrats aren't afraid of these votes, so what I propose to the Republican leader is that the Senate hold up-or-down votes at a majority threshold on each of the Republican bills he has outlined tonight, as well as the Freedom to Vote Act and the John Lewis Voting Rights Advancement Act.

Let me say again. In a few moments, I will ask unanimous consent to have

the Senate vote on the Freedom to Vote Act, the John Lewis Voting Rights Advancement Act, and all the so-called tough bills the Republican leader is proposing tonight at a majority threshold.

We believe the right to vote, to protect our democracy, to get rid of dark money from elections, to end gerrymandering to ensure the American people pick their elected leaders, not politicians, is so important, I would hope the Republican leader would go along with this proposal.

Our caucus strongly disagrees with the Republican bills on this list, but for the sake of our democracy and getting to a majority vote on voting rights, we are willing to vote.

So, Madam President, I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, that the Senate vote on passage of the following bills in the order listed; that there be no motions or amendments in order to the bills; and that the passage be at a majority threshold, all without intervening action or debate: S. 2747, the Freedom to Vote Act; H.R. 4, the John Lewis Voting Rights Advancement Act; S. 3452; S. 3453; S. 3454; S. 3455; S. 3456; S. 3457; S. 3458; S. 3459; S. 3460; S. 3461; S. 3462; S. 3463; S. 3464; S. 3465; S. 3466; S. 3467; S. 3468; and S. 3469.

The PRESIDING OFFICER. Is there objection?

Mr. MCCONNELL. I object.

The PRESIDING OFFICER. Objection is heard.

#### EMMETT TILL AND MAMIE TILL-MOBLEY CONGRESSIONAL GOLD MEDAL ACT OF 2021

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 450 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 450) to award posthumously the Congressional Gold Medal to Emmett Till and Mamie Till-Mobley.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. SCHUMER. Madam President, I ask unanimous consent that the Burr substitute amendment at the desk be considered and agreed to; the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4897) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Emmett Till and Mamie Till-Mobley Congressional Gold Medal Act of 2021”.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) The brutal lynching of Emmett Till and the subsequent bravery and boldness of his mother, Mamie Till-Mobley, became a catalyst for the civil rights movement.

(2) On August 28, 1955, 14-year-old Emmett Till was kidnapped, beaten, and shot in Money, Mississippi, where he had traveled from Chicago to stay with his great uncle, Moses Wright.

(3) The corpse of Emmett Till was discovered 3 days later in the Tallahatchie River and his murderers were acquitted despite Moses Wright providing an eyewitness testimony that the men on trial kidnapped Emmett Till.

(4) Mamie Till-Mobley, the mother of Emmett Till, demonstrated her love for her son and her courage and strength in suffering in the days that followed as she brought the body of Emmett Till back to Chicago for burial and demanded an open casket funeral, which drew more than 50,000 attendees.

(5) Mamie Till-Mobley further allowed a photograph to be taken of Emmett Till in his casket, which was shown throughout the world.

(6) The original casket of Emmett Till stands on display at the National Museum of African American History and Culture as an enduring reminder of the racial violence that is a part of the history of the United States that the people of the United States must confront.

(7) The heroic actions of Mamie Till-Mobley in the midst of evil, injustice, and grief became a catalyst for the civil rights movement and continued in the years to come as she worked for justice and honored the legacy of Emmett Till.

(8) Mamie Till-Mobley went on to create the Emmett Till Players, which was a significant national cultural contribution as teenagers traveled throughout the country presenting Martin Luther King Jr. speeches in the name of Emmett Till.

(9) Mamie Till-Mobley also served as chair and co-founder of the Emmett Till Justice Campaign, which had the dual mission of reopening the murder of Emmett Till for a re-investigation and a passage into law of Federal legislation to ensure that other racially motivated murders during the civil rights era were investigated and, when possible, prosecuted.

(10) The efforts of the Emmett Till Justice Campaign led to the successful joint investigation by the State of Mississippi, the Federal Bureau of Investigation, and the Department of Justice in 2004, the passage of the Emmett Till Unsolved Civil Rights Crime Act of 2007 (Public Law 110-344; 122 Stat. 3934), signed into law by President George W. Bush, and the Emmett Till Unsolved Civil Rights Crimes Reauthorization Act of 2016 (Public Law 114-325; 130 Stat. 1965), signed into law by President Barack Obama.

(11) The people of the United States honor the legacy of Emmett Till and the incredible suffering and equally incredible courage, resilience, and efforts of Mamie Till-Mobley that led to the civil rights movement that began in the 1950s.

**SEC. 3. CONGRESSIONAL GOLD MEDAL.**

(a) **PRESENTATION AUTHORIZED.**—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the posthumous presentation, on behalf of Congress, of a gold medal of appropriate design in commemoration of Emmett Till and Mamie Till-Mobley.

(b) **DESIGN AND STRIKING.**—For purposes of the presentation referred to in subsection (a), the Secretary of the Treasury (referred to in this Act as the “Secretary”) shall strike a gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary. The design shall bear an image of, and inscriptions of the name of, “Emmett Till” and “Mamie Till-Mobley”.

**(c) AWARD OF MEDAL.**—

(1) **IN GENERAL.**—After the award of the gold medal referred to in subsection (a), the gold medal shall be given to the National Museum of African American History and Culture, where it shall be displayed as appropriate.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that the National Museum of African American History and Culture should make the gold medal received under paragraph (1) available for display elsewhere, particularly at other locations and events associated with Emmett Till and Mamie Till-Mobley.

**SEC. 4. DUPLICATE MEDALS.**

The Secretary may strike and sell duplicates in bronze of the gold medal struck under section 3, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

**SEC. 5. STATUS OF MEDALS.**

(a) **NATIONAL MEDALS.**—Medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) **NUMISMATIC ITEMS.**—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

**SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF SALE.**

(a) **AUTHORITY TO USE FUND AMOUNTS.**—There is authorized to be charged against the United States Mint Public Enterprise Fund such amounts as may be necessary to pay for the costs of the medals struck under this Act.

(b) **PROCEEDS OF SALES.**—Amounts received from the sale of duplicate bronze medals authorized under section 4 shall be deposited into the United States Mint Public Enterprise Fund.

The bill (S. 450), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

# INCLUDING CERTAIN COMPUTER-RELATED PROJECTS IN THE FEDERAL PERMITTING PROGRAM UNDER TITLE XLI OF THE FAST ACT

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3451, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 3451) to include certain computer-related projects in the Federal permitting program under title XLI of the FAST Act, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 3451) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 3451

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. FEDERAL PERMITTING IMPROVEMENT.**

Section 41001(6)(A) of the FAST Act (42 U.S.C. 4370m(6)(A)) is amended, in the matter preceding clause (i), by inserting “semi-conductors, artificial intelligence and machine learning, high-performance computing and advanced computer hardware and software, quantum information science and technology, data storage and data management, cybersecurity,” after “manufacturing.”.

# RECOGNIZING INTERSCHOLASTIC ATHLETIC ADMINISTRATORS' DAY

Mr. SCHUMER. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 486, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 486) recognizing Interscholastic Athletic Administrators' Day on December 14, 2021.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 486) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under “Submitted Resolutions.”)

# ORDERS FOR TUESDAY, JANUARY 11, 2022

Mr. SCHUMER. Madam President, finally, I ask unanimous consent that when the Senate completes its business today, it recess until 11 a.m., Tuesday, January 11; that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Davidson nomination postcloture; that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly caucus meetings; further, that all postcloture time on the Davidson nomination expire at 2:20 p.m. and that the Senate vote on the confirmation of the nomination; finally, that if any nominations are confirmed during today's session, the motion to reconsider be considered made

and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. SCHUMER. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand in recess under the previous order.

There being no objection, the Senate, at 8:05 p.m., recessed until 11 a.m., on Tuesday, January 11, 2022.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

KRISTYN E. JONES, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE, VICE JOHN P. ROTH.

FRANK CALVELLI, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE AIR FORCE. (NEW POSITION)

LESTER MARTINEZ-LOPEZ, OF FLORIDA, TO BE AN ASSISTANT SECRETARY OF DEFENSE, VICE THOMAS MCCAFFERY.

AGNES SCHAEFER, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF THE ARMY, VICE CASEY WARDYNSKI.

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

TIMOTHY BAKER, OF VIRGINIA, TO BE A MEMBER OF THE FEDERAL MINE SAFETY AND HEALTH REVIEW COM-

MISSION FOR A TERM OF SIX YEARS EXPIRING AUGUST 30, 2026, VICE MICHAEL YOUNG, TERM EXPIRED.

THE JUDICIARY

NANCY G. ABUDU, OF GEORGIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE ELEVENTH CIRCUIT, VICE BEVERLY BALDWIN MARTIN, RETIRED.

JULIANNA MICHELLE CHILDS, OF SOUTH CAROLINA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT, VICE DAVID S. TATEL, RETIRING.

COMMUNITY RELATIONS SERVICE

PAUL MONTEIRO, OF MARYLAND, TO BE DIRECTOR, COMMUNITY RELATIONS SERVICE, FOR A TERM OF FOUR YEARS, VICE GRANDE LUM, RESIGNED.